

Airtel

11/10/76

To: SACs, Sacramento (62-464)
Butte
Los Angeles EX 103
San Francisco

1 -

From: Director, REC 8 62- 116783 - 1

209

INFORMATION CONCERNING

b7C
b7D

ReSACirtel dated 10/31/76, Butte letter to Sacramento, 1/29/76, captioned as above, and report of SA Conrad N. May, 4/19/76, at Sacramento, captioned, 44-60006-1; "Jerome Joseph Ducote, aka Fred Schwartz; Jerry Cohen; United Farm Workers, Keene, California - Victim, Civil Rights," Sacramento file 44-625.

Referenced Sacramento airtel dated 10/31/76
outlines information confidentially furnished by

MAILED 23
NOV 07 1975
-FBI

Assoc. Dir. _____
Dep. AD Adm. _____
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Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
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Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

1 - SAC, Sacramento (62-464) (INFO)

JSG:mlr (11)

SEE NOTE PAGE 2

300

8 1975

MAIL ROOM TELETYPE UNIT

GPO : 1975 O - 569-920

Airtel to SACs, Sacramento
Butte
Los Angeles
San Francisco

RE: [redacted]

Receiving Offices are requested to immediately respond to Sacramento's request to furnish pertinent information relative to this matter including negative response.

Sacramento is requested to review maid responses for pertinent information and advise Bureau of the results. SAME incorporating therein pertinent and disseminable information set forth in Butte letter to Sacramento 1/29/75 and referenced airtel of 10/31/75 as well as any new information received.

NOTE: SC Division in receipt of information from a [redacted]

b7C
b7D

[redacted] It is noted that in March of 1974, CRD, USDJ, requested investigation of repeated break ins of United Farm Workers Offices in possible violation of Title USC, Section 241. The original investigation centered around an individual subsequently identified as Jerome J. Ducote known as a con man and identified as a former Deputy Sheriff, Santa Clara, California, Sheriff's Office. The investigation concerned his attempt to sell information to the United Farm Workers (UFW) for \$35,000 regarding break ins of their offices. Ducote subsequently interviewed by SC Division 4/2/74 at which time he advised that he and others were engaged in gathering intelligence for certain California growers concerning the UFW and that he, Ducote, was in debt for over \$20,000. Upon completion of our investigation, the Department of Justice advised that no Federal violation existed and that information should be made available to appropriate local authorities. Pertinent information was disseminated to the Chief of Police James Ailes, Delano, California, Police Department on 6/3/74 and to the Kern County Sheriff's Office on 6/7/74.

Upon receipt of requested LHM and based upon information contained therein, appropriate instructions will be issued to SC re future handling of this matter.

F B I

Date: 10/31/75

Transmit the following in _____
(Type in plaintext or code)Via AIRTELAIRMAIL

(Precedence)

TO : DIRECTOR, ~~FBI~~

FROM : SAC, SACRAMENTO (62-464) (C)

SUBJECT: INFORMATION CONCERNING

44-60006-17
Re Butte letter to Sacramento, 1/28/75, captioned as
above, and report of SA CONRAD N. SHAW, 4/19/74, at Sacramento,
captioned, "JEROME JOSEPH DUCOTE, aka Fred Schwartz; JERRY COHEN;
UNITED FARM WORKERS, Keene, California-VICTIM, CIVIL RIGHTS,"
Sacramento file 44-625.

b7C
b7D

confidentially furnished the following information:

- ② - Bureau
 2 - Butte
 2 - Los Angeles
 2 - San Francisco
 2 - Sacramento (1-62-464)
 (1-44-625)
 WAW/mcm
 (10)

MCT-39 REC EX18
 8

CH 38

NOV 8 1975

SK

Approved: PLW Sent _____ M Per _____
 Special Agent in Charge

[REDACTED]

[REDACTED]

b7C
b7D

[REDACTED]
[REDACTED] advised that he knows one JERRY DUCOTE. [REDACTED] described DUCOTE as a totally unprincipled individual who was a former deputy sheriff in the San Jose, California area and is a "con man".

[REDACTED] advised that he heard DUCOTE had engaged in some covert type activities in the past, but had no specific information regarding this. [REDACTED] stated he does not know [REDACTED]

For additional information, the Bureau's attention is directed to referenced civil rights case captioned, "JEROME JOSEPH DUCOTE, aka Fred Schwartz; JERRY COHEN; United Farm Workers, Keene, California-VICTIM, Civil Rights". Also it is to be noted that the Sacramento Division did not become a field office until 9/67, and during the pertinent period, Bakersfield was covered by the Los Angeles Division. Neither DUCOTE or

SC 62-464

[redacted] were ever informants of the Sacramento Division and Sacramento indices contain no information other than the civil rights and 62 matters referred to above.

Receiving offices furnish any pertinent information relative to this matter.

b7C
b7D

The identity of the source mentioned at the outset of this communication must be protected [redacted]

Sacramento contemplates no additional investigation other than maintaining contact with [redacted]

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 11/25/75

FROM *PAK* *EX* SAC, SACRAMENTO (62-464) (P)

SUBJECT:
INFORMATION CONCERNING

ML
ML
ML
ML
Re Bureau airtel dated 11/6/75, captioned same
as above.

Enclosed for the Bureau is the original and four
copies of a letterhead memorandum as requested in the
referenced communication.

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b7D

is the confidential source set forth
in the enclosed letterhead memorandum. Disclosure of
 identity may seriously jeopardize
and effect his credibility *ML*

For the information of the Bureau, there is a
strong possibility that SA Bureau of
Investigation, Department of Justice, State of California,
is one and the same Investigator, Santa
Clara County District Attorney's Office, who in 1970, fur-
nished information to Special Agents of the San Francisco
Office of the FBI regarding DUCOTE's impersonation as an
investigator for the House Un-American Activities Committee.

070-F
JSG: mba 12/18/75

② - Bureau (Enc. 5)
2 - Sacramento
JES/ab
(4)

ENCLOSURE

EX-112 REC 12

62-116783-4
14 DEC 10 1975

DEC 16 4 29 PM 1975

REC'D - CIV RIGHTS
FBI



5010-110

56 JAN 6 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Pers. Rec. U
SA

UNITED STATES GOVERNMENT

Memorandum

FILE
COPYTO : Assistant Attorney General
Civil Rights Division
FROM : Director, FBIDATE: **December 18, 1975**ATTN: **WILLIAM L. GARDNER**SUBJECT: **JOSEPH JEROME DUCOTE, AKA
JERRY DUCOTE, FRED SCHWARTZ;**

b7C

INFORMATION CONCERNING

Reference is made to your memorandum dated May 17, 1974
(your file: DJ 144-11E-126). JSP:WLG:1jrThere is enclosed one copy of the report of Special Agent LHM
dated November 25, 1975 at SCA. This covers the preliminary investigation and no further action concerning a full investigation will be taken by this Bureau unless the Department so directs.B. The investigation is continuing and you will be furnished copies of reports as they are received.C. The investigation requested by you has now been completed. Unless advised to the contrary no further inquiries will be made by this Bureau.D. Pursuant to instructions issued by the Department, no investigation will be conducted in this matter unless specifically directed by the Department.E. Please advise whether you desire any further investigation.F. This is submitted for your information and you will be advised of further developments.G. This is submitted for your information and no further investigation will be conducted unless specifically requested by the Department.H. This covers the receipt of a complaint and no further action will be taken by this Bureau unless the Department so directs.

Enc. 1

NOTE: Our San Francisco and Sacramento Offices have been instructed to resolve the allegations made by subject, Ducote, and to obtain affidavits from Agent personnel involved.

FILE
COPY *[Signature]*

2
Airtel

b7C

12/18/75

To: SACs, Sacramento
San Francisco

1 - [redacted]

3
9
PL

From: Director, FBI

JOSEPH JEROME DUCOTE, AKA
JERRY DUCOTE, FRED SCHWARTZ;

INFORMATION CONCERNING [redacted]

ReBuairtel dated 11/6/75, SC airtel and LHM dated
12/5/75, and SFlet dated 12/11/75.

A review of captioned matter reveals that although a thorough civil rights investigation was conducted by Sacramento and San Francisco under the title, "Jerome Joseph Ducote, United Farm Workers, Keene, California," regarding the break in of an United Farm Workers (UFW) Office on 4/30/67, further investigation re the recent allegations of Ducote is warranted.

Sacramento and San Francisco should insure that a thorough and complete investigation is conducted re the allegations made by Ducote that at the time of the burglary, he was working for the FBI or the CIA and that he later turned copies of the stolen UFW records over to the FBI.

San Francisco insure leads set out by Sacramento via referenced communication are handled expeditiously. San Francisco is instructed to conduct logical investigation including appropriate investigation at Western Research, Oakland, and a reinterview of Joseph Ducote, [redacted] and other reported witnesses to [redacted]

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
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Ext. Affairs _____
Files & Com. _____
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Ident. _____
Inspection _____
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Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

1 - SAC, Butte (Info)

MCT-30

REC 1262-116783-5

JG:mlr (7)

CH 41

NOTE: See cover memo, [redacted] to [redacted]
dated 12/18/75, captioned as above.

56 JAG 12/18/76

MAIL ROOM TELETYPE UNIT

GPO 954-546

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gallagher

FROM : [redacted]

SUBJECT: JOSEPH JEROME DUCOTE, Also Known As
Jerry Ducote, Fred Schwartz;

DATE: 12/22/75

1 - [redacted]
1 - [redacted]

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Teleph. _____

INFORMATION CONCERNING

PURPOSE: To advise of reported allegations of Joseph Jerome Ducote that he burglarized at the direction of the FBI and gave copies of the material stolen to the FBI. To also advise that an Agent of the California Bureau of Investigation reportedly feels the FBI applied pressure on a Chief of Police (COP) to stop a robbery investigation involving [redacted] (reportedly an accomplice of Ducote), and that [redacted] was working for or hired by the FBI.

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BACKGROUND: In March, 1974, the Civil Rights Division (CRD), U. S. Department of Justice (USDJ), requested investigation of repeated break-ins of United Farm Workers (UFW) offices in California between 1966-70, in possible violation of Title 18, U. S. Code, Section 241, involving a conspiracy to deny UFW rights guaranteed by labor law statutes. The investigation centered around an individual subsequently identified as Jerome J. Ducote, known as a con man and identified as a former Deputy Sheriff, Santa Clara, California. The investigation concerned his attempt to sell information to UFW for \$35,000 regarding break-ins of their offices. Ducote subsequently interviewed by Sacramento Division, 4/2/74, at which time he advised that he and others were engaged in gathering intelligence for certain California growers concerning the UFW and that he, Ducote, was in debt for over \$20,000.

Upon completion of our investigation, the USDJ advised that no Federal violation existed and that information should be made available to appropriate local authorities. Further information was disseminated to the COP, Delano, California, Police Department, and Kern County Sheriff's Office, June, 1974.

62-116783

JSG/HNH/pwl (8)

EX-111 REC 8

62-116783 6
5 CONTINUED - OVER . . .
DEC 31 1975



5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Memorandum to Mr. Gallagher
RE: JOSEPH JEROME DUCOTE, aka

In January, 1975, [redacted] advised the FBI that he and Ducote had burglarized several establishments (between 1964 - 1967), including the office of the UFW and had stolen documents. This information has been furnished to the CRD.

DETAILS: On 11/24/75, John M. Lilly, Special Agent, Bureau of Investigation, Department of Justice, State of California, contacted the San Jose Resident Agency and indicated that he would like to discuss Jerry Ducote. Lilly said that he and Bob J. McCollum, Investigator, Santa Clara County District Attorney's Office, were seeking FBI assistance.

Lilly and McCollum appeared at the San Jose Resident Agency and the interview was initiated by McCollum advising SA [redacted] of his constitutional rights. They explained that Ducote burglarized the San Jose Peace Center, Attorney John Thorn's law office, and Grace McDonald's residence and office (publisher/editor of California Form Reporter) in 1967. According to Lilly, Ducote claims he burglarized these addresses at the direction of the FBI and specifically SA [redacted] and gave copies of the materials stolen to both the FBI and Western Research in Oakland, California. Lilly pointed out that Ducote will be prosecuted for possession of the stolen documents and states his defense will be that he acted at the direction of the FBI.

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Lilly stated that his superior in San Francisco was planning to contact U. S. Attorney (USA) James L. Browning, in an effort to obtain FBI files to assist in their investigation.

SA [redacted] advised McCollum and Lilly that he had interviewed Ducote on one or two occasions, but had never directed any activities of his nor had he received any materials whatsoever.

In October, 1975, [redacted]

Our Sacramento Office has advised that the files of the Los Angeles, San Francisco and Sacramento Offices of the FBI contain no information showing that Ducote or [redacted] were employed, used, or requested to perform any function for the FBI.

Memorandum to Mr. Gallagher
RE: JOSEPH JEROME DUCOTE, aka

On December 5, 1975, a conference was held at USA James L. Browning's office with SAC Charles W. Bates and Steven S. Worshins, Chief of Special Agents, Bureau of Investigation, Department of Justice, State of California, San Francisco Office. During this conference, Worshins agreed to make available detailed information in the possession of the State Bureau of Investigation regarding this matter so that the Bureau could assist in any prosecution and also defend itself from any allegations made by the subjects. To date, the San Francisco Office has not received the information promised.

On 12/15/75, Departmental Attorney William L. Gardner, CRD, advised that he is familiar with the above matter as he had been recently contacted by a reporter for the Fresno Bee, a local California newspaper. The reporter had several questions about the above-mentioned investigation of Ducote in 1974. Gardner advised he provided little information of value and the reporter indicated that he would most probably file for the information under the Freedom of Information Act.

Gardner stated that he wished to be kept advised of the facts and developments of this matter and he further stated that he has not been in contact with the USA, San Francisco, regarding his opinion but that every effort would be made to defend against any unfounded allegations against the Department or the FBI should they arise.

ACTION: Our Sacramento and San Francisco Offices have been instructed to resolve all of these allegations and to obtain affidavits from the Agent personnel involved.

FBI

12

M

Date: 12/5/75

Transmit the following in _____
(Type in plaintext or code)Via AIRTELAIRMAIL
(Precedence)

b7C

TO: DIRECTOR, FBI

FROM: SAC, SACRAMENTO (62-464) (P)

SUBJECT: CHANGED
JOSEPH JEROME DUCOTE, aka
Jerry Ducote,
Fred Schwartz;

[REDACTED] INFORMATION CONCERNING

[REDACTED] Title changed to reflect middle name of subject
which is reflected in California Department of
Motor Vehicles records, and to add JOSEPH JEROME DUCOTE, aka
as additional subject. Title formerly carried as [REDACTED]
[REDACTED] INFORMATION CONCERNING".

✓ Re Sacramento letter to the Bureau, 11/25/75, and
LHM of same date, captioned [REDACTED] INFORMATION
CONCERNING". REC 67 CH 42 MCT-19 62-116783-7

Enclosed for the Bureau are five copies and for
San Francisco two copies of an LHM concerning captioned
subject. Also enclosed for the Bureau is one copy of a
news article which appeared in the Sacramento Bee on
11/23/75. Additionally enclosed for San Francisco are
two copies of referenced letter, two copies of referenced
LHM, and two copies of above news article.

- 1 - CR anut 5131-29 0-70 F AAG, CED-GKZ
2 - Bureau (Enc. 6) ENCL 6-17-75 JS/PL
2 - San Francisco (62-0-26108) (Enc. 8)
3 - Sacramento (2 - 62-464)
(1 - 44-625)
CNS:slb 10/16
(7)

62-116783
14 DEC 31 1975

CORRESPONDENCE
M

57 FEB 3 1976
Special Agent in Charge

Sent _____

M _____

SC 62-464

Investigator BOB J. MC COLLUM, Santa Clara, California, District Attorney's Office, and Investigator ROBERT M. BROWNING, San Jose Police Department, San Jose, California, were advised by SA CONRAD N. SHAW in the presence of SA [redacted] that DUCOTE did not furnish any documents to SA SHAW nor did DUCOTE furnish any information of particular value to SA SHAW and [redacted] when contacted after DUCOTE approached COHEN at Bakersfield, California, concerning the sale of stolen documents. MC COLLUM was also advised that DUCOTE was not any type of "informant" or "source" for SA SHAW.

b7C

MC COLLUM stated that JOHN LILLY, California Department of Justice, Investigator, San Francisco, has considerable information concerning this matter and intends to contact FBI Offices at both San Francisco and Sacramento for information concerning subjects.

It was apparent from conversations with MC COLLUM and BROWNING that some information had come to their attention to the effect that SA SHAW had personally received documents from DUCOTE. SA SHAW theorizes that this type of information, if not directly from DUCOTE, could have been an assumption on the part of JERRY COHEN, Attorney for United Farm Workers Union (UFWU), or GEORGE BAKER, former reporter for the Fresno Bee, Fresno, California, who corroborated with DUCOTE in 1974 and wrote several articles concerning the matter. BAKER, who is pro UFWU, is now reporter with Bee Washington Bureau, Washington, D. C.

DUCOTE was contacted 4/2/74 at Bakersfield, California, by SAs SHAW and [redacted] as set forth on page three of referenced LHM, but definitely did not turn over any type of documents to interviewing Agents. This contact and FBI investigation referred to by JERRY COHEN in attached LHM is set forth in report of SA SHAW, dated 4/19/74.

SC 62-464

at Sacramento, captioned "JEROME JOSEPH DUCOTE, aka Jerry Cohen, United Farm Workers, Keene, California - VICTIM; CIVIL RIGHTS".

A current news article, written by GEORGE L. BAKER, concerning this matter is enclosed.

LEADS:

UACB, in order to resolve allegations or inferences that the FBI has received stolen UFW documents from DUCOTE, the following investigation will be performed by the San Francisco Division:

AT SAN JOSE, CALIFORNIA. Make inquiry at Santa Clara District Attorney's Office for full particulars concerning information that the FBI received stolen UFWU documents from DUCOTE.

AT SAN FRANCISCO, CALIFORNIA. Contact investigator JOHN LILLY, California Department of Justice, for full particulars concerning statements made by DUCOTE regarding the FBI.

UNITED STATES GOVERNMENT

Memorandum

TO : Assistant Attorney General
Civil Rights Division
FROM : Director, FBI

DATE: December 17, 1975

Attention: Mr. William L. Gardner

SUBJECT: JOSEPH JEROME DUCOTE, Also Known As
Jerry Ducote, Fred Schwartz;

b7C

INFORMATION CONCERNING

Reference is made to your memorandum dated May 17, 1974
(your file JSP:WLG:ljr). DJ 144-11E-126).

There is enclosed one copy of the report of Special Agent letterhead memorandum
dated 12/5/75 at Sacramento.

A. This covers the preliminary investigation and no further action concerning a full investigation will be taken by this Bureau unless the Department so directs.

B. The investigation is continuing and you will be furnished copies of reports as they are received.

C. The investigation requested by you has now been completed. Unless advised to the contrary no further inquiries will be made by this Bureau.

D. Pursuant to instructions issued by the Department, no investigation will be conducted in this matter unless specifically directed by the Department.

E. Please advise whether you desire any further investigation.

F. This is submitted for your information and you will be advised of further developments.

G. This is submitted for your information and no further investigation will be conducted unless specifically requested by the Department.

H. This covers the receipt of a complaint and no further action will be taken by this Bureau unless the Department so directs.

Enc. 1

SEE NOTE, PAGE TWO

JSG/pwl (3)

F I L E C O P Y



Assistant Attorney General
Civil Rights Division

NOTE: Our San Francisco Office advised that on 11/24/75, John M. Lilly, Special Agent, Bureau of Investigation, Department of Justice, State of California, contacted the San Jose Resident Agency and indicated that he would like to discuss Jerry Ducote. Lilly said that he and Bob J. McCollum, Investigator, Santa Clara County District Attorney's Office, were seeking FBI assistance.

Lilly and McCollum appeared at the San Jose Resident Agency and the interview was initiated by McCollum advising SA [redacted] of his constitutional rights. They explained that Ducote burglarized the San Jose Peace Center, Attorney John Thorn's law office, and Grace McDonald's residence and office (publisher/editor of California Form Reporter) in 1967. According to Lilly, Ducote claims he burglarized these addresses at the direction of the FBI and specifically SA [redacted] and gave copies of the materials stolen to both the FBI and Western Research in Oakland, California. Lilly pointed out that Ducote will be prosecuted for possession of the stolen documents and states his defense will be that he acted at the direction of the FBI. b7C

On December 5, 1975, a conference was held at United States Attorney (USA) James L. Browning's office with SAC Charles W. Bates and Steven S. Worshins, Chief of Special Agents, Bureau of Investigation, Department of Justice, State of California, San Francisco Office. During this conference, Worshins agreed to make available detailed information in the possession of the State Bureau of Investigation regarding this matter so that the Bureau could assist in any prosecution and also defend itself from any allegations made by the subjects. To date, the San Francisco Office has not received the information promised.

On 12/15/75, Departmental Attorney William L. Gardner, CRD, advised that he is familiar with the above matter as he had been recently contacted by a reporter for the Fresno Bee, a local California newspaper. The reporter had several questions about the above-mentioned investigation of Ducote in 1974. Gardner advised he provided little information of value and the reporter indicated that he would most probably file for the information under the Freedom of Information Act.

Gardner stated that he wished to be kept advised of the facts and developments of this matter and he further stated that he has not been in contact with the USA, San Francisco, regarding his opinion but that every effort would be made to defend against any unfounded allegations against the Department or the FBI should they arise.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JAN 02 1976

TELETYPE

Assoc. Dir.
Dep. A.D.-Adm.
Dep. A.D.-Inv.
Asst. Dir.
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
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Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

NR003 SC PLAIN

1:30 PM NITEL 1/2/76 VLS

TO DIRECTOR

SAN FRANCISCO (62-6943)

FROM SACRAMENTO (62-464)

JOSEPH JEROME DUCOTE, AKA; ET AL, INFORMATION CONCERNING
RE BUAIRTEL TO SACRAMENTO AND SAN FRANCISCO, DECEMBER
18, 1975.

FOR INFORMATION OF BUREAU, CASE AGENT, SA CONRAD N.
SHAW, SACRAMENTO DIVISION, WAS ON ANNUAL LEAVE UNTIL
JANUARY 2, 1976, NECESSITATING EXTENSION OF BUDEDLINE.

REQUEST OF AFFIDAVITS OF SA SHAW AND SA [REDACTED]

WILL BE SUBMITTED TO BUREAU BY JANUARY 9, 1976.

FOR INFORMATION OF SAN FRANCISCO, JERRY COHEN, UNITED
FARM WORKERS ATTORNEY, LAST KNOWN TO BE IN SALINAS, CA.
AND SHOULD BE CONTACTED THERE IN ACCORDANCE WITH REAIRTEL.

END

EMS FBIHQ

1/2 2 3 4 5 6 7 8 9 10
RECEIVED 1/2 1976

REC-42

62-116783-86

② JAN 13 1976

57 JAN 21 1976

143

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1/9/76

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Mr. J. B. Adams

Legal Counsel

INQUIRY FROM CONGRESSMAN DON EDWARDS (D-CAL.),
CHAIRMAN, SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL
RIGHTS OF THE HOUSE COMMITTEE ON THE JUDICIARY

b7C

On 1/6/75, Alan Parker, Chief Counsel, House Sub-Committee on Civil and Constitutional Rights of the Committee on the Judiciary telephonically contacted Inspector [redacted] regarding allegations made by JOSEPH JEROME DUCOTE to the effect that he had committed political burglaries on behalf of the FBI.

This matter has received considerable press attention in California, and Congressman Edwards has expressed an interest in these allegations. Edwards has posed several questions concerning DUCOTE'S association with the FBI including the following:

1. Was DUCOTE an informant for the FBI?
2. Has he been interviewed by the FBI?
3. Has the FBI received any information from DUCOTE obtained from illegal activities?
4. Does the FBI evaluate the source of and the information offered?
5. If information obtained illegally is offered to the FBI, is an investigation instituted, and are proper authorities notified?

Congressman Edwards is leaving for California on 1/10/76 and has requested an oral briefing on 1/9/76 so that he may answer inquiries he may receive while in California.

[redacted] CONTINUED-OVER

1 - 44-60006
① - 62-116783

DOC:mcz

(9)

62-116783

NOT RECORDED
167 JAN 14 1976

Legal Counsel to Mr. Adams
Re: INQUIRY FROM CONGRESSMAN DON EDWARDS (D-CAL.),
CHAIRMAN, SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL
RIGHTS OF THE HOUSE COMMITTEE ON THE JUDICIARY

Joseph Jerome Ducote is the subject of the case entitled, JEROME JOSEPH DUCOTE, aka, UNITED FARM WORKERS, KEEN, California-- Victim 00 Sacramento-- Bu File 44-60006.

Investigation instituted 3/27/74 revealed that DUCOTE, using name FRED SCHWARTZ, contacted attorney for United Farm Workers (UFW) and offered to sell documents obtained in burglaries from UFW office for \$35,000. DUCOTE was to furnish evidence linking burglaries to numerous California Growers.

Upon completion of our investigation, the USDJ advised that no Federal Violation existed, and that information should be made available to appropriate local authorities.

Our investigation to date does not indicate there is any substance to the allegation, however, this investigation is still pending. This information is contained in the case entitled JOSEPH JEROME DUCOTE, aka et. al.-- Information Concerning. See Bu File 62-116783.

Mr. Parker was advised on 1/8/76 that there is a pending investigation concerning DUCOTE, and that a briefing concerning the details of the investigation is not possible at this time.

Mr. Parker advised that a formal letter would be directed to the Bureau posing certain questions concerning this matter. He further advised that he was forwarding to the Office of Congressional Affairs, newspaper articles and a 93-page statement allegedly given by DUCOTE to State authorities.

RECOMMENDATION:

For information.

F B I

Date: 12/23/75

Transmit the following in _____
(Type in plaintext or code)Via AIRTELAIR MAIL

(Priority)

Assoc. Dir.
Dep. A.D. Adm.
Dep. A.D. Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Cm.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

TO: curv DIRECTOR, FBI
 FROM: 62 SAC, SAN FRANCISCO (62-6943)
 SUBJECT: JOSEPH JEROME DUCOTE, aka
 Jerry Ducote,
 Fred Schwartz.

[REDACTED] INFORMATION CONCERNING [REDACTED]

ReBuairtel 12/18/75 and San Francisco letter,
12/11/75.

On 12/22/75 JOHN LILLY, Bureau of Investigation, Department of Justice, State of California, advised that JEROME DUCOTE had been arrested by them and incarcerated in the Santa Clara County Jail with bail set in the amount of \$100,000. He is charged with 14 counts of Grand Theft and Possessing and Concealing Stolen Property. LILLY stated that in their continuing investigation they now find that DUCOTE merely alluded to dealing with some security agency and that other people concluded that it must be the CIA or FBI.

A news article concerning DUCOTE's arrest is enclosed herewith. His incarceration may preclude an expeditious interview of DUCOTE as directed.

EX-111 REC 45 62-116783-9

San Francisco is now in receipt of a copy of the letter directed by the State Attorney Generals to the United States Attorney with the specifics of their allegations. A copy of this letter is enclosed for the Bureau, Sacramento and Butte.

ENCLOSURE

2-Bureau (Enc. 2) (RM)
 2-Sacramento (62-464) (Enc. 1) (RM)
 2-Butte (Enc. 1) (RM)
 1-San Francisco
 RSB:kah S-1
 (7)

1cc ERU —
 12/31/5 DEC 31 1975
 JSG/jet —

62-116783

Approved: 162 Sent _____ M Per _____
 Special Agent in Charge

SF 62-6943

RSB:kah

San Francisco will respond appropriately to this letter with a copy to the United States Attorney refuting the allegations in their entirety, UACB. The representative sample of the documents mentioned in the Attorney General's letter has been forwarded to this office by the United States Attorney.

San Francisco is pursuing this matter as directed in referenced Bureau airtel and the Bureau will be kept advised.

(Mount Clipping in Space Below)

Political Burglary Scandal --

Bay Activists Were Targets

By Rick Carroll

A Watergate-style scandal involving a host of political burglaries stretching back nearly a decade has surfaced in Santa Clara county, according to a 138-page report filed yesterday with the San Jose Municipal Court.

Jerome Ducote, 46, a former Santa Clara county deputy sheriff

~~and a member of the Republican Party~~
~~activity was arrested on the~~
~~charge of~~
~~several~~

He is accused of 21 felonies and is in the Santa Clara county jail in lieu of posting \$100,000 bail.

The voluminous report is the result of an 11-month investigation by the California Department of Justice's Organized Crime and Criminal Intelligence Branch, the Santa Clara county district attorney's office and the San Jose Police Department, according to William P. Hoffman, a Santa Clara county assistant district attorney.

The report includes a rambling, 96-page interview with Ducote in which he admits 17 burglaries, most of them committed in 1966 and 1967.

His targets, Ducote told investigators, included the Delano office of the United Farm Workers, Ramparts Magazine, both the Carmel home and Chicago office of radical organizer Saul Alinsky, San Francisco's American-Russian Institute and the People's World Communist Party newspaper, the San Jose office of left-leaning lawyer the San Jose headquarters of Catholic Social Justice, and numerous anti-Vietnam War groups in San Jose, Oakland and Berkeley.

The admissions emerged during a tape-recorded interview last February 14 with Walter Kubas, special agent of the ~~State~~ Department of Justice.

(Indicate page, name of newspaper, city and state.)

1 S.F. Chronicle

San Francisco, Ca.

Date: 12-23-75
 Edition: Home
 Author: Rick Carroll
 and Pub.: Chas.
 Editor: deYoung Thieriot
 Title:
 JOSEPH JEROME DUCOTE
 AKA
 Character: INFO. CONCERNING
 or SF 62-6943
 Classification: 62
 Submitting Office: SF

Being Investigated

62-116783-96

ENCLOSURE

His accomplices in many of the break-ins, Ducote said, were Andy Gulermovich, now living in Salinas, and Henry Scherling, now a resident of Cour d'Alene, Idaho.

Ducote told Agent Kubas that he resigned from the Santa Clara sheriff's department in 1963 and, that same year, was elected president of the county's Young Republican Club.

At a Republican meeting, he met Kenneth Wilhelm, then the secretary of the Santa Clara County Farm Bureau, who offered him an \$800-a-month job to root out radicals.

Three years later, the burglaries cropped up throughout southern California. (Investigators corroborated most of the break-ins according to the report.)

Piles of stolen documents were turned over to Wilhelm, now a Peninsula schoolteacher, according to the interview.

At one point, Ducote visited Congressman Charles Gubser (Rep.-Gilroy) in Washington, and turned over copies of the purloined documents to the House Committee on Un-American Activities.

The committee's chief investigator and a Central Intelligence Agency Congressional liaison man asked for copies of all future documents, Ducote claimed. He said he did not tell anyone in Washington how he got the files.

Ducote's two closest shaves came in Delano and in San Francisco, he said.

During one burglary of a group that worked closely with Cesar Chavez, Ducote's and Scherling's rented auto license was copied.

Several days later, Scherling surrendered to the San Jose police. After Ducote told a Delano policeman that the purpose of the break-in was to prove Chavez's

links to the Communist Party, the investigation was dropped, Ducote said.

In San Francisco, Ducote said he waited near the People's World office at 81 Clementina alley for "three or four nights" to obtain a copy of the Communist newspaper's subscription list.

When the subscription lists were dumped into a trash can, Ducote wound up in an unseemly struggle with an FBI agent, a San Francisco policeman and an Army Intelligence agent over them.

The policeman won, Ducote said, after he threatened to arrest Ducote and the other two investigators.

Ducote and his accomplices cannot be charged with 11 burglaries themselves, according to Assistant District Attorney Hoffman, because there is a three-year statute of limitations on the prosecution of this crime.

However, Ducote was accused of grand theft because, within the past year, he persuaded 14 prominent San Jose businessmen to aid him in his fight to keep Chavez to the Communist Party.

When the businessmen learned that Ducote did little or no investigating with these funds, they complained to the district attorney's office, triggering the investigation.

The other seven felony charges, Hoffman said, stem from Ducote's hanging onto purloined documents. He is also accused of seven counts of concealing stolen property.

Hon. James L. Browning, Jr.
December 10, 1975
Page Two

9. The American Russian Institute, 90 McAllister Street, San Francisco, California.
10. Business office of Attorney John Thorn, 510 North 3rd Street, San Jose, California.
11. Business office of Professor William F. Stanton, 510 North 3rd Street, San Jose, California.
12. People's World, 81 Clementina Street, San Francisco, California.
13. The office of Frederic Hirsch, 316 South 19th Street, San Jose, California.
14. East Side Farm Workers Organization, East Santa Clara Street, San Jose, California.
15. Catholic Social Justice Office, South 1st Street, San Jose, California.
16. The Philippine Social Hall, Delano, California.
17. Concerned Citizens of Palo Alto, California.

It has also been claimed that these break-ins were performed with the knowledge and tacit approval of both local and national authorities specifically including the Federal Bureau of Investigation. In addition to the already named persons, others are alleged to have had access to the information and documents obtained by these break-ins and to have passed this information to interested governmental agencies. In particular Lawrence V. Cott, San Rafael, California, formerly employed by Western Research Bureau then of San Francisco, California is said to have passed stolen documents to the F.B.I. Mr. Cott has denied this.

Among those who have claimed F.B.I. knowledge of these break-ins are:

Jerry C. Boyes - Los Gatos, California

[redacted] - San Jose, California

b7C

[redacted] Sunnyvale, California

Hon. James L. Browning, Jr.
December 10, 1975
Page Three

Samuel Alvidres - San Jose, California

Jerome Cohen, Attorney - Salinas, California.

Others allegedly involved in the instigation of the break-ins are:

Robert Kenneth Wilhelm - Los Altos, California

[redacted] - Delano, California

[redacted] - San Jose, California

b7C

Finally [redacted] San Jose, California, is alleged to have had recent access during 1975 to documents stolen from the San Jose Peace Center and stored by Ducote.

Attached is a representative sample of the documents obtained in the break-ins. Would you please ascertain if any of these documents have found their way into the F.B.I.'s possession. If they have, may we please be informed of how, when and from whom these were obtained. With this assistance, we may be able to resolve present conflicts in testimony regarding Mr. Cott and decide what further action should be taken in his case.

We would greatly appreciate your cooperation in this matter. In addition, we also wish to obtain copies of any reports detailing the actual contacts made by the above persons with the F.B.I. so that we may properly evaluate and meet claims that these persons were acting under the instigation, direction or tacit acquiescence of the F.B.I.

Very truly yours,

EVELLE J. YOUNGER
Attorney General

W. ERIC COLLINS
Deputy Attorney General

WEC:tab

cc: Charles Bates, Special Agent in Charge
San Francisco Area
Federal Bureau of Investigation
450 Golden Gate Avenue
San Francisco, California 94102

Ray Lauritzen
Bureau Chief
Bureau of Investigation
P. O. Box 13327
Sacramento, California

(415) 557-3926

December 10, 1975

Honorable James L. Browning, Jr.
United States Attorney
Northern District of California
450 Golden Gate Avenue
San Francisco, California 94102

b7C

Dear Mr. Browning:

In 1966 and 1967, it appears that a series of break-ins occurred, chiefly in California perpetrated by Jerome J. Ducote, San Jose, California, [redacted] Coeur D'Alene, and [redacted] [redacted] Salinas, California. The avowed purpose of these break-ins was to demonstrate the suspected Communist affiliations of the targeted individual, association, or corporation.

A list of the claimed break-ins is as follows:

1. San Jose Peace Center, 235 North 1st Street, San Jose, California.
2. Residence of Grace McDonald, 740 Hilmar Street, Santa Clara, California.
3. Ramparts Magazine, 301 Broadway, San Francisco, California.
4. United Farm Workers Organization, Delano, California.
5. Residence of Saul Alinsky, Carmel, California.
6. Industrial Areas Foundation, Inc., 8 South Michigan, Chicago, Illinois.
7. Student Non-Violent Coordinating Committee, 449 - 14th Street, San Francisco.
8. United Committee Against the War, 2001 Milvia Street, Berkeley, California.

ENCL/JS/WT

02-116783-9

Airtel

12/18/75

To: SACs, Sacramento
San Francisco

From: Director, FBI

JOSEPH JEROME DUCOTE, AKA
JERRY DUCOTE, FRED SCHWARTZ;

INFORMATION CONCERNING

b7C

ReBuairtel dated 11/6/75, SC airtel and LHM dated 12/5/75, and SFlet dated 12/11/75.

A review of captioned matter reveals that although a thorough civil rights investigation was conducted by Sacramento and San Francisco under the title, "Jerome Joseph Ducote, United Farm Workers, Keene, California," regarding the break in of an United Farm Workers (UFW) Office on 4/30/67, further investigation re the recent allegations of Ducote is warranted.

Sacramento and San Francisco should insure that a thorough and complete investigation is conducted re the allegations made by Ducote that at the time of the burglary, he was working for the FBI or the CIA and that he later turned copies of the stolen UFW records over to the FBI.

San Francisco insure leads set out by Sacramento via referenced communication are handled expeditiously. San Francisco is instructed to conduct logical investigation including appropriate investigation at Western Research, Oakland, and a reinterview of Joseph Ducote, [redacted] and other reported witnesses to [redacted]

1 - SAC, Butte (Info)

JSG:mlr (7)

NOTE: See cover memo, [redacted] to [redacted] dated 12/17/75, captioned as above.

44-60006-
(INFO)

Airtel to SACs, Sacramento

San Francisco

RE: JOSEPH JEROME DUCOTE, AKA JERRY DUCOTE

insure that these allegations are thoroughly investigated and refuted. Ducote and [redacted] should be advised of their rights during interview, and results of same recorded on PD-302. Insure that detailed information in possession of the California State Bureau of Investigation regarding this matter is obtained so that we may defend ourselves regarding any allegations made by the subjects. Obtain affidavits from SA [redacted]

b7C

[redacted] San Jose RH, as well as other Agent personnel against whom allegations may have been made. Submit results of your investigation to the Bureau and Sacramento in a form suitable for dissemination and include therein information contained in referenced SFlet to the Bureau dated 12/11/75 re SA [redacted] contact with Ducote and his denial that he directed any of Ducote's activities or had received materials from him. In addition, include therein pertinent background information set forth re Ducote and reported witnesses, Sam Alvid, Jerry Boyes, and [redacted]

Sacramento should insure that all logical investigation within your Division is conducted and reported to the Bureau and San Francisco in a form suitable for dissemination. Obtain affidavits from SA Conrad N. Shaw, and [redacted] re their contact with Ducote including the interview of 4/2/74 at Bakersfield, California.

Sacramento is instructed to recontact Jerry Cohen, Chief Counsel in California for UFW, the original complainant, regarding the civil rights violation against Ducote and advise him of our jurisdiction in civil rights matters and that his complaint was thoroughly investigated and furnished to the Department of Justice for its consideration as to whether any Federal action is warranted. It is noted that on 12/16/75, this matter was discussed with Departmental Attorney William L. Gardner who advised that in his opinion, no further investigation need be conducted regarding the civil rights complaint made by Cohen as the investigation revealed said matter involved possible violation of California statutes. Cohen should be made aware of the views of the Department and should he have any further questions about the matter, he may wish to write to the CRD, USDOJ, Washington, D. C. Receiving offices are instructed to submit results of investigation within 14 days upon receipt of this communication.

12/23/75

AIRTEL

AIR MAIL

TO: DIRECTOR, FBI
FROM: SAC, SAN FRANCISCO (62-6943)
SUBJECT: JOSEPH JEROME DUCOTE, aka
Jerry Ducote,
Fred Schwartz.

b7C

[REDACTED] INFORMATION CONCERNING

ReBuairtel 12/18/75 and San Francisco letter,
12/11/75.

On 12/22/75 JOHN LILLY, Bureau of Investigation, Department of Justice, State of California, advised that JEROME DUCOTE had been arrested by them and incarcerated in the Santa Clara County Jail with bail set in the amount of \$100,000. He is charged with 14 counts of Grand Theft and Possessing and Concealing Stolen Property. LILLY stated that in their continuing investigation they now find that DUCOTE merely alluded to dealing with some security agency and that other people concluded that it must be the CIA or FBI.

A news article concerning DUCOTE's arrest is enclosed herewith. His incarceration may preclude an expeditious interview of DUCOTE as directed.

San Francisco is now in receipt of a copy of the letter directed by the State Attorney Generals to the United States Attorney with the specifics of their allegations. A copy of this letter is enclosed for the Bureau, Sacramento and Butte.

2-Bureau (Enc. 2) (RM)
2-Sacramento (62-464) (Enc. 1) (RM)
2-Butte (Enc. 1) (RM)
1-San Francisco
RSB:kah S-1
(7)

44-60006-
(INFO)

SF 62-6943

RSB:kah

San Francisco will respond appropriately to this letter with a copy to the United States Attorney refuting the allegations in their entirety, UACB. The representative sample of the documents mentioned in the Attorney General's letter has been forwarded to this office by the United States Attorney.

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(Mount Clipping in Space Below)

Political Burglary Scandal-- Bay Activists Were Targets

By *Rick Carroll*

A Watergate-style scandal involving a host of political celebrities stretching back nearly a decade has surfaced in Santa Clara county, according to a 108-page report filed yesterday with the Municipal Court.

Jerome Ducote, 46, a former Santa Clara county deputy sheriff and longtime Republican Party activist was arrested in the case yesterday.

He is accused of 21 felonies and is in the Santa Clara county jail in lieu of posting \$100,000 bail.

The voluminous report is the result of an 11-month investigation by the California Department of Justice's Organized Crime and Criminal Intelligence Branch, the Santa Clara county district attorney's office and the San Jose Police Department, according to William P. Hoffman, a Santa Clara county assistant district attorney.

The report includes a rambling, 95-page interview with Ducote in which he admits 17 burglaries, most of them committed in 1966 and 1967.

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The admissions emerged during a tape-recorded interview last February 14 with Walter Kubas, special agent of the State Department of Justice.

(Indicate page, name of newspaper, city and state.)

1 S.F. Chronicle

San Francisco, Ca.

Date: 12-23-75

Edition: Home

Author: Rick Carroll
and Pub.: Chas.
Editor: deYoung Thieriot

Title:

JOSEPH JEROME DUCOTE
AKACharacter: INFO. CONCERNING
or SF 62-6943

Classification: 62

Submitting Office: SF

 Being Investigated

His accomplices in many of the break-ins, Ducote said, were Andy Gulelmovich, now living in Salinas, and Henry Scherling, now a resident of Cour d'Alene, Idaho.

Ducote told Agent Kubas that he resigned from the Santa Clara sheriff's department in 1963 and, that same year, was elected president of the county's Young Republican Club.

At a Republican meeting, he met Kenneth Wilhelm, then the secretary of the Santa Clara County Farm Bureau, who offered him an \$800-a-month job to ferret out radicals.

Three years later, the burglaries cropped up throughout Northern California. (Investigators corroborated most of the break-ins, according to the report.)

Files of stolen documents were turned over to Wilhelm, now a Peninsula schoolteacher, according to the interview.

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Several days later, Scherling surrendered to the San Jose police. After Ducote told a Delano policeman that the purpose of the break-in was to prove Chavez's

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR 020 SF PLAIN

JAN 14 1976

8:44PM NITEL 1/14/76 CHL

TELETYPE

Assoc. Dir. _____
Dep.-A.D.-Adm. _____
Dep.-A.D.-Inv. _____
Asst. Dir.: *John C. Smith*
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
~~Health & Safety~~
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

TO: DIRECTOR, FBI (ATTN: INTD & GID - CIVIL RIGHTS SECTION)

FROM: SAN FRANCISCO (62-6943)

JOSÉPH JÉRÔME DUCOTE, AKA;

INFORMATION CONCERNING.

BY LETTER DATED JANUARY 8, 1970, WILLIAM P. HUFFMAN,

CHIEF ASSISTANT DISTRICT ATTORNEY, MADE THE STATEMENT,

"I HAVE EXCELLENT INFORMATION THAT THE FBI HAS IN ITS

POSSESSION A COPY OF THE MAILING LIST OF THE SAN JOSE PEACE

center. I would appreciate knowing when and from whom and

UNDER WHAT CIRCUMSTANCES THIS LIST WAS OBTAINED".

b7c

b7D

A REVIEW OF THE SAN JOSE PEACE CENTER FILE, SF 100-45728

SHOWS THAT ON JULY 15, 1965, FORMER

MADE AVAILABLE

FOR SEVERAL HOURS THE MAILING LIST OF THE CENTER TO

SA [REDACTED] A XEROX COPY WAS MADE ON THE

SANTA CLARA COUNTY SHERIFF'S OFFICE MACHINE AND THE ORIGINAL

RETURNED TO THE INFORMANT.

SAN FRANCISCO CONTEMPLATES ANSWERING THE ABOVE QUOTED
REC 62

RECEIVED REC-62 62-116783-
PORTION IN HUFFMAN'S LETTER BY SAYING THAT THIS OFFICE DID

NOT RECEIVE A COPY OF THE MAILING LIST OF THE SAN JOSE PEACE

CENTER FROM DUOCHE OR ANY OF HIS ASSOCIATES.

5 JAN 20 1976

1985-5-5 5-11 1919

COKE - 3000
JANUARY 2000

1115hrs ARDC Lamers was advised to SULNA completed
5 flights of DA report and was no further action
cc- Gen. Inv. 30 Dec 1976 Recd by [Signature] JGD
CR Sec 1405 5131

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JAN 15 1976

MR 011 SF PLAIN

6:59PM NITEL 1/15/76 CHL

TO DIRECTOR
FROM SAN FRANCISCO (62-6943)

ATTN SA GIAQUINTO

JOSEPH JEROME DUCOTE, AKA: [REDACTED]

CONCERNING.

My ON JANUARY 5, 1976, ROBERT L. LAMBORN, JR., EXECUTIVE
DIRECTOR AND VICE PRESIDENT, RESEARCH WEST, INC., 1419 BROADWAY,
OAKLAND, CALIF., ADVISED THAT RESEARCH WEST WAS INCORPORATED
IN 1969 AND HE WAS HIRED IN HIS CURRENT POSITION BY THE FIRM
IN 1969. HE STATED RESEARCH WEST, INC. HAS NO INFORMATION
REGARDING THE AFFAIRS OF WESTERN RESEARCH AS RELATED TO ANY
ALLEGED DEALINGS WITH A JEROME DUCOTE AND THAT WESTERN RESEARCH
WENT OUT OF BUSINESS IN 1968.

END

HOLD

EX 104 REC-5 62-116783-11

7 JAN 27 1976

62-116783

56FEBPZ 1076

Assoc. Dir. _____
Dep.-A.D.-Adm. _____
Dep.-A.D.-Inv. _____
Asst. Dir. _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intelli. [REDACTED] _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

[REDACTED] INFORMATION

4433

DEG-H

PLAINTEXT

TELETYPE

NITEL

TO SAC SAN FRANCISCO (62-6943)
FROM DIRECTOR (62-116783)

1/20/76

JOSEPH JEROME DUCOTE, ALSO KNOWN AS JERRY DUCOTE, FRED

SCHWARTZ;

INFORMATION CONCERNING

RESFNITEL 1/14/76, AND SF AIRTELS 1/13 AND 1/16/76, b7C
AND BUTELCAL 1/19/76.

THIS CONFIRMS REBUTELCAL 1/19/76. IN ACCORDANCE WITH
YOUR RECOMMENDATION, YOU ARE AUTHORIZED TO DIRECT A LETTER
TO THE SANTA CLARA COUNTY PROSECUTOR ADVISING HIM THAT
SAN FRANCISCO DIVISION DID NOT RECEIVE A COPY OF A MAILING
LIST FOR THE SAN JOSE PEACE CENTER FROM EITHER JOSEPH JEROME
DUCOTE OR ANY OF HIS ASSOCIATES. INSURE USA, SF, ADVISED
OF THE FACTS AND CIRCUMSTANCES RE OBTAINING OF SAID LIST.

YOU WILL BE ADVISED BY SEPARATE COMMUNICATION OF THE
FORTHCOMING DECISION OF THE U. S. DEPARTMENT OF JUSTICE
REGARDING RELEASE OF ~~RECEIVED 62-116783-12~~ REQUESTED ~~RECEIVED 62-116783-12~~
FEDERAL BUREAU OF INVESTIGATION AND MEMORANDA
COMMUNICATIONS SECTION
RE THIS MATTER.

END

405 AM CMB
JAN 20 1976

3 JAN 23 1976

TELETYPE

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rec. _____
Director's C. _____

JGG/pwl 30
NOTE: See

to Mr. Gallagher memorandum
dated 1/20/76, captioned as above.

46
35 FEB 4 1976
MAIL ROOM
TELETYPE UNIT

GPO : 1975 O - 644920

PLAINTEXT

TELETYPE

NITEL

1/28/76

b7C

TO SAN FRANCISCO (62-943)

1 - Mr. Gallagher

FROM DIRECTOR (62-116783)

1 - Mr. Mintz

1 - [REDACTED]

JOSEPH JEROME DUCOTE, ALSO KNOW AS, JERRY DUCOTE,

FRED SCHWARTZ; [REDACTED] INFORMATION CONCERNING.

REURTELETYPE DATED JANUARY 27, 1976, AND BUTELCAL TO
SAN FRANCISCO ON JANUARY 28, 1976.

THIS CONFIRMS REBUTELCAL WHEREIN YOU WERE ADVISED THAT
DEPARTMENTAL ATTORNEY WILLIAM L. GARDNER AUTHORIZED THE
DISSEMINATION OF PAGES 5 THROUGH 33 OF THE SACRAMENTO REPORT
OF SA CONRAD N. SHAW DATED APRIL 19, 1974, TITLED,
"JEROME JOSEPH DUCOTE; JERRY COHEN, UNITED FARM WORKERS,
KEENE, CALIFORNIA - VICTIM," TO THE CALIFORNIA STATE ATTORNEY
GENERAL.

GARDNER ADVISED THAT THE COVER PAGE (FD-204) AND
PAGES 2, 3, AND 4 BE DELETED IN ORDER THAT VERBATIM
REPRODUCTION OF THE DEPARTMENTAL LETTER OF J. STANLEY
POTTINGER TO THE BUREAU DATED MARCH 8, 1974, NOT BE
DISSEMINATED TO THE CALIFORNIA STATE ATTORNEY GENERAL.

REC-50

62-116783-13

IN ADDITION, ³ DELETE ANY ADMINISTRATIVE MARKINGS PRIOR TO

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.

Asst. Dir.:

Admin. _____

Comp. Syst. _____

Ext. Affairs _____

Files & Com. _____

Gen. Inv. _____

Ident. _____

Inspection _____

Intell. _____

Laboratory _____

Plan. & Eval. _____

Spec. Inv. _____

Training _____

Legal Coun. _____

Telephone Rm. _____

Director Sec'y _____

TJK
SACRAMENTO (62-464) (AIRMAIL)
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JSG:mlr (6)

JAN 28 1976
135942
TELETYPE
SEE NOTE PAGE 2

JAN 29 1976

161
MAIL ROOM 976

TELETYPE UNIT

GPO : 1975 O - 569-920

PAGE TWO (62-1]6783)

DISSEMINATION COPY OF SAID REPORT.

LEGAL COUNSEL DIVISION HAS REVIEWED THIS REPORT AND
CONCURS WITH THE ABOVE.

END

b7C

NOTE: See [redacted] to Gallagher Memo dated 1/20/76 for full details. In summary on 1/27/76, SAC, San Francisco in receipt of a request from the California State Attorney General that all FD-302s, photographs, and any documents obtained as a result of the CR investigation conducted by the SC Office as reflected in case entitled, "Jerome Joseph Ducote, AKA Jerry Cohen, United Farm Workers, Keene, California - Victim," SC report dated 4/19/74 by SA Conrad N. Shaw be made available as a prosecutive aid against subject, Ducote.

Ducote presently incarcerated in the Santa Clara County Jail on charges of grand theft and possession and concealing stolen property.

On 1/28/76 Departmental Attorney William L. Gardner, upon review of said report, advised that he had no objection to its being disseminated to the local California authorities as an aid in their prosecution of Ducote. Gardner advised however, that the cover page and Pages 2 through 4 be deleted prior to dissemination as they contain nothing pertinent to the subject's prosecution.

Said report was reviewed by Legal Counsel Division and they concur with the opinion and recommendation of William L. Gardner. This instructs SF to comply.

PLAINTEXT

TELETYPE

NITEL

1/26/76

TO SAC SAN FRANCISCO (62-943)

ST-116 REC-57

FROM DIRECTOR FBI (62-116783) - 14

1 - Mr. Gallagher
1 - Mr. Mintz
1 - Mr. Wannall

b7C

JOSEPH JEROME DUCOTE, ALSO KNOWN AS, JERRY DUCOTE,

FRED SCHWARTZ; [REDACTED]

INFORMATION CONCERNING.

REFERENCE SAN FRANCISCO AIRTELS JANUARY 13, 1976, AND
JANUARY 16, 1976.

DEPARTMENTAL ATTORNEY WILLIAM L. GARDNER, SUBSEQUENT TO HIS REVIEW OF FD-302S AND MEMORANDA FURNISHED BY SAN FRANCISCO, BY REFERENCED AIRTELS, ADVISED THAT HE HAD NO OBJECTION TO SAID ITEMS BEING DISSEMINATED TO THE CALIFORNIA ATTORNEY GENERAL AND THE SANTA CLARA COUNTY DISTRICT ATTORNEY, PER THEIR WRITTEN REQUEST TO THE SAC, SAN FRANCISCO DATED JANUARY 8, 1976.

THE LEGAL COUNSEL DIVISION AND INTELLIGENCE DIVISION CONCUR WITH THE DISSEMINATION OF THESE ITEMS IN ORDER FOR THE LOCAL AUTHORITIES TO PROSECUTE DUCOTE.

INSURE UNITED STATES ATTORNEY, SAN FRANCISCO, MADE AWARE OF GARDNER'S DECISION, RE THESE ITEMS.

1 - SAC, Sacramento (62-464) (By Mail)
1 - SAC, Butte (62-2682) (By Mail)

JSG:nlc (8)

SEE NOTE PAGE TWO . . .

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JAN 26 1976

TELETYPE

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone _____
Director Secy _____

57 FEB 5 1976

MAIL ROOM

TELETYPE UNIT

GRQ 954-546

TELETYPE TO SAC SAN FRANCISCO
RE: JOSEPH JEROME DUCOTE,

COPIES SENT TO SAC, SACRAMENTO AND SAC, BUTTE BY MAIL.

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NOTE: See [redacted] to Gallagher memo dated 1/20/76, for full details. In summary, the SAC, San Francisco in receipt of written requests from the California State Attorney General and Santa Clara District Attorney dated 1/8/76, wherein the local authorities advised that they are desires of obtaining FD-302s and memoranda re subject Ducote. Ducote was incarcerated at the Santa Clara County Jail on local charges of Grand Theft, possession and stealing of stolen property. Said FD-302s and memoranda are necessary as an aid in their prosecution of Ducote. The items furnished by San Francisco included interviews of Ducote, conducted by San Francisco in 1970, for impersonation, wherein prosecution was declined, as well as recent interviews, wherein Ducote denied that the local crimes he has been charged with were conducted at the direction of the FBI. In addition miscellaneous memoranda regarding Ducote and his associates were requested.

Said items were reviewed by the Legal Counsel Division, Intelligence Division, and Departmental Attorney William L. Gardner and all concur in that they had no objection to the dissemination of these items to local authorities. This instructs San Francisco to comply.

UNITED STATES GOVERNMENT

Memorandum

DECLASSIFIED BY 60324 AUC BAU/CPB/RYS
ON 03-08-2007

TO Mr. Gallagher

~~CONFIDENTIAL~~

FROM [REDACTED]

SUBJECT JOSEPH JEROME DUCOTE, Also Known as
Jerry Ducote, Fred Schwartz;

[REDACTED]
INFORMATION CONCERNING

1 - Mr. Callahan
1 - Mr. Adams
DATE: 20/76

b7C

1 - Mr. Gallagher
1 - Mr. O'Connell
1 - Mr. Peelman
1 - [REDACTED]
1 - Mr. Mintz
1 - Mr. Walsh
1 - Mr. McDermott
1 - Mr. Moore
1 - Mr. Wannall

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____

10-22-78 62-116783
PURPOSE: To advise of the status of an investigation instituted to resolve reported allegations that Joseph Jerome Ducote burglarized at the direction of the FBI and gave copies of the materials stolen to the FBI. u

BACKGROUND: You were previously advised in a [REDACTED] to Mr. Gallagher memorandum dated 12/22/75, that in March, 1974, the Civil Rights Division (CRD), U. S. Department of Justice (USDJ), requested investigation of repeated break-ins of United Farm Workers (UFW) offices in California between 1966 and 1970, in possible violation of Title 18, U. S. Code, Section 241, involving a conspiracy to deny UFW rights guaranteed by labor law statutes. The investigation centered around an individual identified as Joseph Jerome Ducote, known as a con man and a former deputy sheriff, Santa Clara County, California. u

Upon completion of our investigation, the USDJ advised that no Federal violation existed and that information should be made available to appropriate local authorities. Said information was disseminated by our Sacramento Division to the Chief of Police (COP), Delano, California, Police Department, and Kern County Sheriff's Office, June, 1974. u

On 11/24/75, John M. Lilly, Special Agent, Bureau of Investigation, State of California, advised SA [REDACTED] of the San Jose Resident Agency that during the approximate period 1967 - 1968, Ducote committed several politically oriented burglaries, including the San Jose Peace Center. According to Lilly, Ducote committed the burglaries at the direction of the FBI and gave copies of the stolen materials to both the FBI and Western Research of Oakland, California. Lilly stated that Ducote will be prosecuted by the State of California for possession of stolen documents and indicated that Ducote will state as his defense that he acted at the direction of the FBI. u

ST-116 REC-57 62-116783 JAN 29 1976

62-116783

1 - 44-60006 Classified by 1259 JSG/dm
JSG/pwl 13 (Exempt from GDS Category 2) CONTINUED - OVER . . .

Date of Declassification Indefinite ~~CONFIDENTIAL~~

10-26-78
Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

44-60006
UNCLASSIFIED COPY FILED IN
10-22-78

~~CONFIDENTIAL~~

Memorandum to Mr. Gallagher
RE: JOSEPH JEROME DUCOTE, aka
62-116783

DETAILS: On 12/22/75, Special Agent John Lilly, Bureau of Investigation, advised that Ducote had been arrested by them and incarcerated in the Santa Clara County Jail, with bail set at \$100,000. He is charged with 14 counts of grand theft and possessing and concealing stolen property. Lilly stated in their continuing investigation, they now find that Ducote merely alluded to dealing with some security agency and that other people concluded that it must be the FBI. 4

On 12/24/75, Joseph Jerome Ducote was interviewed by SAs of the FBI at the Santa Clara County Jail and provided the following information: 4

Ducote advised that he has never worked for the FBI in any capacity. He advised that he did not turn over any documents to Agents of the FBI nor did he ever meet any Bureau Agents who were acting in an undercover capacity. 4

Ducote stated, however, that Western Research of Oakland, California, had sent an agent down to review papers that he had in his possession. Ducote said he thought this individual was from Army Intelligence based upon the way the person was dressed and in his general appearance. Ducote advised that he had what was believed to be two meets with the CIA, the first being in Washington, D. C., and the second in San Jose, California. He advised that he never directly contacted the CIA for these meetings. Ducote refused to comment on this matter inasmuch as he was concerned it might jeopardize his current position. 4

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Comprehensive letterhead memoranda and affidavits submitted by both the San Francisco and Sacramento Divisions regarding this matter, specifically deny that Ducote or his associates provided any stolen documents to SAs of the FBI or were ever operated as sources, informants, or at the direction of the FBI. 4

~~CONFIDENTIAL~~

Memorandum to Mr. Gallagher
RE: JOSEPH JEROME DUCOTE
62-116783

~~CONFIDENTIAL~~

It is noted, however, that a mailing list for the San Jose Peace Center, one of the organizations reportedly burglarized by Ducote in 1967, was provided to SA [redacted] in 1965, by former [redacted] at the time a highly placed source at the Center. This source obtained the list as a result of source's direct affiliation with the Peace Center and not through any contact with Ducote. Bureau files contain no information which would link source with Ducote. ~~u~~

(U) Departmental Attorney William L. Gardner was advised of the status of the pending investigation and furnished copies of all letterhead memoranda and affidavits submitted by San Francisco and Sacramento. Gardner stated that said letterhead memoranda should be furnished to the California authorities in order to assist in their prosecution of Ducote. u

By letter dated January 8, 1976, directed to SAC Charles W. Bates, the Attorney General, State of California, and the Chief Assistant District Attorney, Santa Clara County, made written requests for certain original FD-302s and memoranda regarding Ducote, said request in addition to the letterhead memoranda provided, in order to assist in this prosecution of stolen property and grand theft. The State Attorney General was most appreciative of being provided with copies of the comprehensive letterhead memoranda but indicated that certain original documents were necessary. u

In addition to the above, Chief Assistant District Attorney William P. Hoffman, Santa Clara County, requested information as to whether the FBI has in its possession a copy of a mailing list of the San Jose Peace Center. The SAC, San Francisco, recommended that in view of fact that the list was provided by [redacted] prior to the date of the reported burglaries, and has no direct bearing re the prosecution of Ducote, that the District Attorney be advised that "This office did not receive a copy of a mailing list of the San Jose Peace Center from either Joseph Jerome Ducote or his associates." The Intelligence Division (INTD) and Legal Counsel Division (LCD) concurred with this reply and SAC Bates was advised accordingly. ~~u~~

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(U) With the above exception, there has been no request made by the California authorities for any original memoranda or FD-302s regarding former [redacted] ~~u~~ ~~(C)~~

(U) The CRD, USDJ, and the U. S. Attorney, San Francisco, have been provided copies of all affidavits and memoranda and pertinent information regarding this matter. u

ACTION: The opinion of the USDJ will be obtained re release of the original FD-302s and other memoranda regarding Ducote and his associates as requested by California authorities. The LCD and INTD concur with this action. u

~~CONFIDENTIAL~~

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

b7C

JAN 27 1976

TELETYPE

MR 903 SF CODE

12:17 PM URGENT 1/27/76 MCC

TO DIRECTOR (62-116783)
SACRAMENTO (62-464)
FROM SAN FRANCISCO (62-6943) 1P

ATTN GID - CIVIL RIGHTS SECTION

JEROME JOSEPH DUCOTE, AKA, INFORMATION CONCERNING.

RE BUNITEL JANUARY 26, 1976.

EPIC COLLINS, DEPUTY ATTORNEY GENERAL, STATE OF CALIFORNIA,
SAN FRANCISCO, REQUESTED ALL THE 302S, PHOTOGRAPHS, AND ANY
DOCUMENTS OBTAINED AS A RESULT OF THE CIVIL RIGHTS INVESTIGATION
CONDUCTED BY SACRAMENTO OFFICE AS REFLECTED IN CASE ENTITLED
JEROME JOSEPH DUCOTE, AKA, JERRY COHEN, UNITED FARM WORKERS, KEEN,
CALIFORNIA - VICTIM, SACRAMENTO REPORT DATED APRIL 19, 1974,
BY SA CONRAD N. SHAW.

IN VIEW OF DEPARTMENTAL DECISION IN OTHER DOCUMENTS IN THIS
CASE AS REFLECTED IN REFERENCED NITEL, IT IS REQUESTED BUREAU
CONTACT DEPARTMENT TO DETERMINE IF COPY OF ENTIRE REPORT MAY BE
FURNISHED ATTORNEY GENERAL'S OFFICE AND SANTA CLARA COUNTY DA'S
OFFICE. SAN FRANCISCO RECOMMENDS THIS COURSE OF ACTION.

END

AJN FBIHQ CLR TU

Assoc. Dir. _____
Dep.-A.D.-Adm. _____
Dep.-A.D.-Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

11 1/27/76
11 1/27/76
CONRAD

REC-43 62-116783-15
JAN 29 1976

55 FEB 1 1976

F B I

Date: 1/16/76

Transmit the following in _____
(Type in plaintext or code)Via AIRTELAIR MAIL
(Priority)

Assoc. Dir. _____
 Dep.-A.D.-Adm. _____
 Dep.-A.D.-Inv. _____
 Asst. Dir.:
 Admin. _____
 Comp. Syst. _____
 Ext. Affairs _____
 Files & Com. _____
 Gen. Inv. _____
 Ident. _____
 Inspection _____
 Intell. _____
 Laboratory _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Legal Coun. _____
 Telephone Rm. _____
 Director Sec'y _____

TO: DIRECTOR, FBI
(ATTN: GENERAL INVESTIGATIVE, CIVIL RIGHTS
SECTION)FROM: *Chas. J. O'Farrell* SAC, SAN FRANCISCO (62-6943)SUBJECT: JOSEPH JEROME DUCOTE, aka
Jerry Ducote,
Fred Schwartz.

[REDACTED] INFORMATION CONCERNING

Re San Francisco airtel, 1/13/76, and San Francisco
telephone call to Bureau, 1/16/76.Enclosed herewith are 2 copies of a memorandum
dated 3/4/68 (SF 62-0-24080) and an FD 302 dated 2/25/70
(SF 47-7771). Assistant District Attorney WILLIAM P. HOFFMAN,
Santa Clara County, requests the original documents.The Bureau is requested to seek a ruling from the
Department as to whether or not these can be disseminated.

REC-39

62-116161

EX-115

JAN 29 1976

2enc. to CRD

070E

1120176

JSG (jet)
see file copy.

ENCLOSURE

2-Bureau (Enc. 4) (RM)
2-San Francisco
MES:kah
(4)

FEB 12 1976 104

Approved: _____ Sent: _____ M Per: _____
Special Agent in Charge

FEDERAL BUREAU OF INVESTIGATION

Date 2/25/70

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JEROME JOSEPH DUCOTE, 1528 Hanct Avenue, San Jose, California, voluntarily appeared at the San Jose Resident Agency. DUCOTE was advised of the identify of the interviewing agents, the inquiry, and of his rights by SA [redacted]

DUCOTE was advised that investigation was being conducted concerning allegations that he was indicating that he was a member of the House Committee on Unamerican Activities (HCUA). Mr. DUCOTE was asked to comment on this allegation.

He stated that for a number of years he had been working closely with the leadership of the Catholic Church of San Francisco and ferreting out adversive elements in the leadership of the church. He stated that he is presently engaged with KENNETH WILHELM, former director of a Farm Bureau of Santa Clara County, California, and STEPHEN D'ARRIEGIO, a prominent produce farmer in Salinas, California, investigating unamerican activities in California and in particular the Delano Grape Boycott.

Mr. DECOTE stated that they had formed the St. Dismas Publishers Incorporated, Post Office Box 8187, San Jose, California, and recently published a book exposing SOL ALINSKY. According to DECOTE, ALINSKY had set up computers and solicited proxies from stockholders of major companies and has attempted to influence the policies of these companies. DECOTE stated that this book is sold to various companies so that it could be mailed out to major stockholders and that this book has been made available to many Catholics in California. The presentation of this book to Catholics would be to prevent ALINSKY from interfering or influencing Catholic policy, particularly in regard to social action.

On 2/19/70 at San Jose, California File # SF 47-7771
 by SA [redacted] and SA [redacted] /bg
62-11673-10 Date dictated 2/19/70

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

2

SF 47-7771

ADC:bg

He stated that he and his colleagues have provided all subversive information obtained to the California HCUA and that he had met with members of that committee on numerous occasions. He stated that they have made all information available to Western Research, a private organization in the Bay Area, that maintains an index of public source information concerning subversives and subversive activities in the area.

DECOTE stated that he went to Washington approximately two months ago and while there, met with Congressman CHARLES GUBSER, Chief Counsel for the HCUA, Chief Investigator for HCUA, a representative of CIA, and he believes that a Bureau representative was also present.

DECOTE stated that he told several people that he had consulted with the HCUA and that this statement might have been passed on with the impression that he was employed by the HCUA. DECOTE stated that at no time did he ever state to anyone that he was employed by the HCUA or did he attempt to leave that impression with anyone. He stated that if he had left that impression with anyone, he was sorry and apologizes for any inconvenience he may have caused the FBI. He stated that in all future encounters, he would make it known should the question arise that he is not employed by any Government Office. He stated that in all instances he states that he is employed by the St. Dismas Publishers Company.

3/4/68

To: SAC, SF (62-0)

From: SA [redacted]

Subj: JERRY DUCOTE
Info Concerning

100-47715-119 (2/64)

The above-captioned individual appeared at the San Jose Resident Agency on 2/26/68, at which time he was interviewed by SAs WILLIAM N. KIDWELL, JR. and SA [redacted]. DUCOTE said he was conducting investigation for Archbishop McGucken of the San Francisco Diocese. He said that Archbishop McGucken was concerned about the activities of the Farmworker's Union and the fact that some of the young priests were being influenced by communists.

DUCOTE's purpose in coming to the FBI was to seek assistance in his investigative endeavors. IT was pointed out to DUCOTE that the FBI could not assist him and the interview was terminated.

ACTION: File.

62-0
MES

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SEARCHED	INDEXED
SERIALIZED	FILED
MAR 04 1968	
FBI - SAN FRANCISCO	
[redacted]	

62-116783-16
ENCLOSURE

62-0-24080

F B I

Date: 1/2/76

b7C

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)9
d

TO: DIRECTOR, FBI
 FROM: SAC, SAN FRANCISCO (62-6943)
 SUBJECT: JOSEPH JEROME DUCOTE aka
 Jerry Ducote,
 Fred Schwartz;

[REDACTED]
INFORMATION CONCERNING

Re Bureau airtel 12/18/75, San Francisco letter to the Director 12/23/75 and California Attorney General EVELLE J. YOUNGER letter to United States Attorney JAMES L. BROWNING, Jr. dated 12/10/75.

Enclosed for the Bureau are five (5) copies of an LHM dated and captioned as above. Two copies are furnished Sacramento and one to Butte for information.

SAMUEL R. ALVIDREZ, aka Sam Alvid, furnished information mentioned in enclosed LHM to SA [REDACTED]

[REDACTED] Sunnyvale, California, furnished the information relative to the impersonation allegation to SA [REDACTED]

I LHM to Legal Counsel [REDACTED] furnished information to SAs at Coeur D' Alene, Idaho Resident Agency.

1cc CRD (Enc. to CRD) Referenced California Attorney General letter 1cc CRU states one [REDACTED] San Jose, California is alleged 070F to have had access during 1975 to documents stolen from the 1/15/76 San Jose Peace Center and stored by DUCOTE. There is JSG/et insufficient background data furnished in reference letter to fully identify [REDACTED] 45-11678-32-17
See file copy (2) [REDACTED] 2-11678-32-17
JSG/et

- 4 - Bureau (Enc. 1) (2 - External Affairs Division)
 2 - Sacramento (Enc. 2) (Info)
 1 - Butte (Enc. 1) (Info)
 2 - San Francisco
 MES/sih

(9)

Sent

M

Per

17 JAN 7 1976

Approved: *FY09*
53 MAR 18 1976 Agent in Charge

U.S. Government Printing Office: 1972 - 455-574

RESEARCH SECTION

SF 62-6943
MES/sih

b7C

Regarding Western Research, it is to be noted that this source is handled exclusively by SA [redacted] [redacted] On 1/2/76, SA [redacted] determined that no one at Western Research will be available for interview until 1/5/76 at the earliest.

Copies of attached LHM are being furnished Mr. EVELLE J. YOUNGER, Attorney General, State of California, attention Mr. W. ERIC COLLINS, Deputy Attorney General. A copy of the letter of transmittal is enclosed.

An affidavit has been obtained from SA [redacted] [redacted] denying the allegation that he directed activities of DUCOTE and that he received any materials from DUCOTE. The original is being maintained in SA [redacted] personnel file.

Two copies of the LHM are being furnished to the External Affairs Division in view of the interest shown by Congressman DON EDWARDS.



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

*In Reply, Please Refer to
File No.*

San Francisco, California

January 2, 1976

JOSEPH JEROME DUCOTE
Also Known As
Jerry Ducote
Fred Schwartz;

INFORMATION CONCERNING

b7C

On November 24, 1975, John M. Lilly, Special Agent, Bureau of Investigation, Department of Justice, State of California, contacted Special Agent [redacted] at the San Jose Resident Agency and said he would like to discuss one Jerry Ducote. Lilly was advised that our FBI (Federal Bureau of Investigation) files are maintained in San Francisco and suggested that he contact the San Francisco Field Office. Lilly replied that he and Bob J. McCollum, Investigator, Santa Clara County District Attorney's Office, "had gotten themselves into a jam" with Ducote and were seeking assistance. An appointment was arranged for December 1, 1975 at 2 p.m. at the San Jose Resident Agency.

Lilly and McCollum appeared at the San Jose FBI Resident Agency on December 1, 1975, and the interview was initiated by McCollum advising Special Agent (SA) [redacted] of his "rights". They explained that Jerry Ducote had burglarized the San Jose Peace Center, Attorney John Thorne's law office, and Grace McDonald's residence and office (publisher-editor of "California Farm Reporter") in 1967. According to Lilly, Ducote claims he burglarized these addresses at the direction of the FBI, and specifically SA [redacted] and gave copies of the materials stolen to both the FBI and Western Research in Oakland, California. Lilly pointed out that Ducote will be prosecuted for possession of the stolen documents and states Ducote's defense will be that he acted at the direction of the FBI.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

42-116783-17
ENCLOSURE

JOSEPH JEROME DUCOTE

Lilly said that his supervisor in the San Francisco office was planning to contact the United States Attorney, James L. Browning, in an effort to obtain FBI files to assist in their investigation.

McCollum advised that Ducote has witnesses who will testify that he did this work at the direction of the FBI; namely, Sam Alvid, Jerry Boyes, and [redacted]

SA [redacted] advised McCollum and Lilly that he had interviewed Ducote on one or two occasions but had never directed any activities of Ducote's and had received no materials whatsoever from Ducote.

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JOSEPH JEROME DUCOTE

Also Known As

Jerry Ducote

Fred Schwartz

The files of the San Francisco Office of the FBI indicate that Ducote appeared at the San Jose Resident Agency in 1968, at which time he was interviewed by SAs William N. Kidwell, Jr., and [redacted]. Ducote indicated that he was working for the Diocese of the Roman Catholic Church of Northern California, located at San Francisco. He said that Archbishop McGucken was concerned about the communist influence in the Farm Workers Union and felt that some of the young priests were being influenced by communists. Ducote requested assistance from the FBI in his investigation. It was pointed out to Ducote at that time that the FBI could not assist him.

On February 19, 1970, Ducote was interviewed at the San Jose Resident Agency by SAs [redacted] and [redacted]. [redacted] Ducote was advised that an investigation was being conducted concerning allegations that he was indicating that he was a member of the House Committee on Un-American Activities (HCUA).

USA

Ducote stated that for a number of years he had been working closely with the leadership of the Catholic

JOSEPH JEROME DUCOTE

Church of San Francisco in ferreting out subversive elements in the leadership of the church. He said he was presently engaged with ~~Kenneth Wilhelm~~, former director of a farm bureau of Santa Clara County, and ~~Stephen D'Arrigio~~, a prominent farmer in Salinas, California, in investigating un-American activities in California.

CALIF
Ducote said that he and his colleagues have provided all subversive information obtained to the California House Committee on Un-American Activities and that he had met with members of that committee on numerous occasions. He stated that he and his colleagues have made all information available to ~~Western Research~~, a private organization in the Bay Area that maintains an index of public source information concerning subversives and subversive activities.

Ducote stated that he went to Washington two months before the interview and met with Congressman Charles Gubser, Chief Consul for the HCUA, Chief Investigator for HCUA, a representative of the Central Intelligence Agency, and he said he believed that a Bureau representative was present.

Ducote told the Agents that he had told several people that he had consulted with the HCUA and that this statement might have been passed on with the impression that he was actually an employee of the HCUA. Ducote denied having impersonated personnel of the HCUA and said he was sorry if he left that impression with anyone.

The facts of this matter were discussed with the United States Attorney's Office and prosecution was declined.

On December 12, 1974, [redacted] visited the Palo Alto Resident Agency of the FBI, where she made a complaint against Jerome Joseph Ducote. [redacted] said Ducote gained her confidence by claiming to be a consultant to the HCUA, and in reliance upon this she gave him approximately \$3,000, which he refused to pay back when demanded by her. [redacted] advised Agents that Ducote claimed to her to be a

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JOSEPH JEROME DUCOTE

consultant to the HCUA, and he further identified himself as the former Sheriff of the Santa Clara County. During the time [redacted] worked with Ducote in attempting to set up schools for farm labor children, Ducote said he was working on this project with James L. Browning, United States Attorney for the Northern District of California. According to Ducote, Browning was going to assist him in obtaining Federal money for the school.

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The facts in this matter were discussed with Assistant United States Attorney Jerry K. Cimmet on February 18, 1975, at which time Mr. Cimmet declined prosecution.

Ducote, using the alias Fred Schwartz, held a pre-arranged meeting with Jerry Cohen, Chief Council, United Farm Workers, Keene, California, on March 25, 1974 at Bakersfield, California. Schwartz claimed to have documents taken in robberies and burglaries which were carried out at the direction of two California growers which would be of interest to the United Farm Workers, and which Schwartz offered to sell Cohen for \$35,000.

Another meeting between Cohen and Schwartz took place at Bakersfield on March 31, 1974, and this meeting resulted in the identification of Schwartz as Jerry Joseph Ducote, born June 28, 1929 at Gulfport, Mississippi, and at that time a resident of 1528 Hanchette, San Jose, California. During the meeting of March 31, 1974, Ducote lowered his price to \$25,000 and named three California growers allegedly involved in this matter. Ducote exhibited to Cohen a list of burglaries conducted by him, and he said the burglaries were committed at the direction of, one, a [redacted] first name not given.

On April 1, 1974, Ducote telephoned Cohen and asked for \$600 to \$1000 immediate cash, which he said he needed for bail.

JOSEPH JEROME DUCOTE

~~SAMUEL R. ALVIDREZ~~
Also Known As ~~AKA~~
~~Sam Alvid~~

On October 20, 1966, [redacted] California Self-Help Service Corps., Morgan Hill, California, an adjunct of OEO, reported to the FBI that Sam Alvid had impersonated an OEO agent when calling upon [redacted] at Morgan Hill, California. According to [redacted] Alvid was conducting an investigation of OEO as a private investigator and was obtaining information relating to the project and various proposals. Upon interview by SAs of the FBI, Alvid denied the allegation of impersonation and claimed that he obtained only information available to any citizen under the provisions of the Poverty Act. Assistant United States Attorney (AUSA) John J. Bartko declined prosecution stating that the impersonation was not clearly established.

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[redacted]
[redacted] San Jose, an [redacted] witnessed a Bureau auto accident in 1972 and furnished a statement to an SA of the FBI at that time. On January 11, 1974, [redacted] telephonically contacted the San Jose Resident Agency and asked for SA [redacted] by name. He arranged for an interview of one of his close friends, Jerry Boyes, who he said had important information to furnish.

JOSEPH JEROME DUCOTE

JERRY CLARK BOYES

In May, 1971, Boyes made a complaint to the Referee in Bankruptcy, San Jose, California concerning alleged improprieties in connection with bankruptcy proceedings concerning several companies he had an interest in. Boyes was interviewed on two occasions and was unable to furnish any specific information with respect to this matter. His attorney was interviewed, and the attorney said he was unaware of any basis for the allegations made by Boyes.

At 5:30 a.m., July 3, 1960, Jerry Boyes telephonically contacted the San Francisco FBI Office and said he was reluctant to state what he wanted to discuss but that he must talk to an Agent personally at once. After a short discussion he indicated he was host to a foreign visitor whom he thinks is a representative of the Secretary of the Interior to Iran. The affair was set up by the Recreation Department for the City of San Jose. Boyes said that after dinner his wife and the guest began drinking very heavily and became involved in a manner that he did not approve of. He said that he got into a fistfight with the guest and broke his fist during the fight.

Boyes appeared at the Los Angeles FBI Office on September 11, 1973 and indicated that his ex-wife is married to a man who is a close associate of Angelo Marino, a reported Mafia member in the San Jose, California area.

On March 29, 1971, Boyes appeared at the San Francisco FBI Office and advised that he was being squeezed out by local politicians which amounted to thousands of dollars. Boyes at this time said he was in the business of factory producing homes under the name of Unlimited Shelters Amalgamated of Santa Clara, California. He claimed he is a close associate of "communist hunter" Ken Wilhelm and [redacted] of San Jose. He claimed his attorney was "selling him out". He named a great number of people in Santa Clara County, leading politicians of the state, including then Governor Reagan, the head of the State Highway Commission, Wayne Valle - [redacted]

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JOSEPH JEROME DUCOTE

[REDACTED] Angelo Marino, Paul - Sasko
Construction Company, [REDACTED] San Jose, Senator
Alan Cranston, and others involved in a giant conspiracy
with the "syndicate" and through them money is being shifted
into and out of California for the purposes of making
San Francisco the world's largest syndicate controlled port.
Boyes believed that he knows so much about all of these
people that the FBI should be able to see the overall picture
and should therefore rescue him from his predicament, which
was bankruptcy.

b7C

On January 11, 1974, [REDACTED]
Avenue, San Jose, telephonically contacted SA [REDACTED] and
arranged to meet him where an individual with very important
information for the Bureau would be available.

Upon arrival at the appointed place, [REDACTED] was
not present; but an individual who identified himself as
Jerry Boyes, furnished the following information:

Boyes said that he had been married three times, and
his second wife, [REDACTED] was now in the process
of suing him for child support, fraud, and various other
charges. Boyes explained that he is employed on a part-time
basis as a dance instructor for the San Jose Recreation
Department and that he presently resides at 15902 Longwood
Drive, Los Gatos, California.

Boyes pointed out by way of background that he
patented the idea, and later sold through Sears company, the
"add-a-room". He said this venture failed, and he later was
involved in the production of modular homes at Santa Clara,
California. Boyes said that he was eased out of the company
into bankruptcy by the U.S. Financial Corporation, which he
claims is headed up by [REDACTED]
[REDACTED]

Boyes said that his grandfather subdivided the City
of Whittier, California, therefore he has been "close" to the
Nixon family for years. Boyes claimed to be on a first name
basis with Haldeman and Erlichman, former advisors to former
President Nixon.

JOSEPH JEROME DUCOTE

Boyes said that he has been close to Ken Wilhelm, Republican leader in Santa Clara County, until recently was Secretary of the Farm Bureau in Santa Clara County. Boyes feels now that information furnished by him to Wilhelm was in turn given to the Mafia and the Communist Party.

At this point in the conversation [redacted] appeared and said that the story Boyes had to tell might sound "far out" but he had checked it and feels that Boyes is "onto something".

b7C

Boyes said that he visited his daughter in Paris, California in October, 1973, at which time the daughter told him that Boyes' first wife was involved in picking up packages at National City, California at an unnamed motel and delivering them to [redacted] in care of [redacted] [redacted] Albany, Oregon. He said he did not know whether the packages contained narcotics, money being brought into the country by [redacted] or possibly photographs to be used in a mail scheme.

Boyes claimed that one [redacted] Private Investigator, told him several years ago that he was working "with the FBI". He described [redacted] as a close friend of former Santa Clara County Judge Maurice Hardeman, who was convicted of arson, removed from the bench and disbarred. According to Boyes, [redacted] through the efforts and cooperation of Judge Hardeman when he was presiding in a Santa Clara County Courtroom.

Boyes claims that he was in Los Angeles during October or November, 1973, at which time he made an appointment to tell his story to Jack Cox, Administrative Assistant to Congressman Barry Goldwater, Jr. He said that Cox did not keep the appointment, and he went to the U.S. Secret Service in Los Angeles, whereupon he entered an interview room with a Secret Service Agent and observed a photograph of the West Coast Mafia Family on the wall of the interview room. Boyes said the interviewing Agent was identical to one of the individuals in the photograph.

Boyes further indicated that he assisted in the settlement of an Army contract at Sharpe Army Depot, Stockton,

JOSEPH JEROME DUCOTE

California, and as a result received \$5,000. He said that he gave \$2800 of that money to Ken Wilhelm, who said he was donating that to Congressman Charles Gubser. Boyes said that when a list of Gubser's contributors was published, Boyes' name did not appear.

On January 14, 1974, [redacted] telephonically contacted the San Jose Resident Agency and said that Jerry Boyes had additional information which the FBI should have immediately. At 4 p.m., January 14, 1974, Boyes appeared at the San Jose Resident Agency and exhibited an envelope containing an offer from "Kiplinger Newsletter", Washington, D.C., offering a trial subscription. Boyes pointed out that he wrote a letter to Congressman Barry Goldwater, Jr., and this Kiplinger letter was a signal to Boyes that the communists had determined that he was corresponding with Congressman Goldwater. b7C

ROBERT KENNETH WILHELM

The files of the San Francisco Office indicate that R. Ken Wilhelm, Executive Secretary, Santa Clara County Farm Bureau, 1092 North First Street, San Jose, California, appeared with two other individuals at the San Francisco Office of the FBI on April 18, 1958. These men advised they wished to report information concerning the farm situation in Santa Clara County, which to them indicates possible subversive activities. They named several individuals in the San Jose area they felt were key figures in subversive activities.

[redacted]
The files of the San Francisco FBI indicate that [redacted]

JOSEPH JEROME DUCOTE

LAWRENCE VERNON COTT

The files of the San Francisco Office indicate that Cott was an assistant to Harper L. Knowles, Director of Western Research Foundation, from 1963 until 1968, at which time he moved to New York City where he was one of the editors of "Combat", a publication of National Review, Inc.

b7C

JOSEPH JEROME DUCOTE

b7C

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SF 62-6943
DKB:rvs

The following investigation was conducted at San Jose, California:

On December 29, 1975, WILLIAM HOFFMAN, Assistant District Attorney, Santa Clara County, 234 E. Gish Road, advised that he did not have any direct knowledge that JEROME DUCOTE had provided documents to any Agents of the Federal Bureau of Investigation. HOFFMAN advised that he first became aware of DUCOTE's activities with respect to several burglaries in Delano, California, and his possession of stolen documents, approximately two months ago. HOFFMAN advised that the statute had run out on the burglaries and he was proceeding against DUCOTE for the possession of stolen documents. HOFFMAN advised that the persons most familiar with this matter and would know if DUCOTE ever made any statements that he had turned over documents to the FBI were JOHN LILLY of the California State Attorney General's Office in San Francisco, California, and BOB McCOLLUM of the Santa Clara County District Attorney's Office.

On December 29, 1975, BOB McCOLLUM, Investigator, Santa Clara County District Attorney's Office, 234 E. Gish Road, advised that DUCOTE never told him directly that DUCOTE had turned over documents to the FBI. McCOLLUM advised that as he recalled the documents were given to Western Research in Oakland, California. McCOLLUM advised that WALTER KUBIAS, California State Department of Organized Crime and Criminal Intelligence Bureau, had originally talked to DUCOTE and had obtained a signed statement from DUCOTE pertaining to the burglaries that DUCOTE has been alleged to have been involved in and also as to the distribution of the documents taken in the burglaries.

JOSEPH JEROME DUCOTE:

b7C

[Redacted]

On December 24, 1975, Jerome Joseph Ducote, Inmate, Santa Clara County Jail, North County Facilities, Palo Alto, California, was interviewed by agents of the Federal Bureau of Investigation. Ducote was advised of the purpose of the interview, that being Ducote's supposedly having worked for the Federal Bureau of Investigation and turning over documents to the Federal Bureau of Investigation, these documents being taken from numerous burglaries alleged to have been committed by Ducote in Delano, California. Ducote was advised of his rights by means of a Warning and Waiver of Rights form, which Ducote read, stated that he understood, but before signing he wanted to telephonically contact his attorney, Thomas Salciccia and obtain his okay before doing so. Ducote telephonically contacted his attorney and on the advice of his attorney, signed the Warning and Waiver of Rights form.

Ducote advised that he has never worked for the Federal Bureau of Investigation in any capacity. He advised that he did not turn over any documents to agents of the Federal Bureau of Investigation, nor did he ever meet any agents of the Federal Bureau of Investigation who were acting undercover in any capacity.

Ducote advised that on February 14, 1975, he met with Walter Kubias, California State Department, Organized Crime and Criminal Intelligence Bureau, and provided Kubias with approximately a ninety-five page statement pertaining to his (Ducote's) involvement in the burglaries of the United Farm Worker's Union in Delano, California. Ducote advised that at that time, Kubias made him a promise of no prosecution if he was to tell everything he knew. Ducote advised that the Attorney General's Office in the State of California apparently sat on this matter until October 15, 1975, when it was again brought to light. He advised that apparently John Lilly of the California State Attorney General's Office took over the investigation from Kubias.

JOSEPH JEROME DUCOTE:

b7C

[Redacted]

Ducote advised that during his discussions with Kubias he at no time ever mentioned or stated that he was employed by the Federal Bureau of Investigation, nor did he ever state that he had given documents to agents of the Federal Bureau of Investigation. He further advised that no names of FBI agents were ever mentioned in his discussions with Kubias.

Ducote advised that Western Research, which is located in Oakland, California, had sent an agent down to review papers that he (Ducote) had in his possession. Ducote said that he thought this individual was from Army Intelligence based on the way the person was dressed and his general appearance. Ducote advised that he had what he believed were two meetings with the Central Intelligence Agency (CIA), the first being in Washington, D. C., and the second in San Jose, California. He advised that he never directly contacted the CIA for these meetings, but that the contact was made by the Farmer's Union. Ducote did not comment further on this matter inasmuch as he was concerned that it might jeopardize his current position. Ducote advised that he also thought that at one time he had met with an Air Force intelligence officer with respect to the matter.

In addition, the following description was obtained through observation and interview:

Name	Jerome Joseph Ducote
Home address	2108 Belaire
	San Jose, California
Race	White
Sex	Male
Date of Birth	June 28, 1929
Height	6'3"
Weight	230 pounds
Hair	Gray
Eyes	Brown
California State	
Bureau of Criminal	
Identification and	
Investigation (CII) Number	5 407 222
CJIC Number	7557284
Scars	Scar on left forearm

1

SF 62-6943

MES:ert

On December 29 and December 30, 1975, attempts to contact JERRY COHEN, Chief Counsel in California for United Farm Workers, at Salinas, California, telephone number (408) 424-4136, proved unsuccessful. A message was left to have COHEN contacted SA [redacted] at the Federal Bureau of Investigation Office in San Jose, California.

b7C

On December 31, 1975, attempt to contact JERRY COHEN revealed that he was out of town until approximately January 5, 1976.

1.

MINUTEMEN

The Minutemen organization was organized in 1960, reportedly to resist the spread of communism in the United States by use of guerrilla tactics. Robert B. DePugh, national coordinator of the Minutemen, was sentenced in October, 1970, for violations of the Federal Firearms Act. At the time of his arrest DePugh was in possession of documents concerned with guerrilla warfare and other paraphernalia, including hand grenades, gun silencers, and a machine gun. DePugh was released on parole during April, 1973, and in June, 1973, indicated he planned to revitalize the Minutemen into a "two-armed organization." Arm number one was to be utilized as a political front organization to sway elections and control local and state political structures. Arm number two was to be an underground guerrilla organization made up of "strike teams." These "strike teams" are to be under direct control of DePugh and their existence is to be unknown to everyone, including Minutemen State Coordinators.

APPENDIX

UNITED STATES GOVERNMENT

Memorandum

TO : Assistant Attorney General
CIVIL RIGHTS DIVISION

DATE: **1/15/76**

FROM : Director, FBI

SUBJECT: **JOSEPH JEROME DUCOTE AKA
JERRY DUCOTE, FRED SCHWARTZ;**

INFORMATION CONCERNING

Reference is made to my memorandum dated 1/13/76
(your file DJ 144-11E-126). **JSP:WLG:1jr**

There is enclosed one copy of XXXXXX an LHM
dated 1/15/76 at San Francisco

A. This covers the preliminary investigation and no further action concerning a full investigation will be taken by this Bureau unless the Department so directs.

B. The investigation is continuing and you will be furnished copies of reports as they are received.

C. The investigation requested by you has now been completed. Unless advised to the contrary no further inquiries will be made by this Bureau.

D. Pursuant to instructions issued by the Department, no investigation will be conducted in this matter unless specifically directed by the Department.

E. Please advise whether you desire any further investigation.

F. This is submitted for your information and you will be advised of further developments.

G. This is submitted for your information and no further investigation will be conducted unless specifically requested by the Department.

H. This covers the receipt of a complaint and no further action will be taken by this Bureau unless the Department so directs.

b7C

Enc. 2

NOTE: This confirms conversation between Departmental Attorney William L. Gardner and SA [redacted] wherein Mr. Gardner advised that he had no objection to LHM's setting forth results of Bureau contact with subject DUCOTE and his associates being disseminated to Santa Clara County Prosecutor's Office for their prosecutive assistance.

6211078317

Affidavit of Special Agent [redacted]

b7C

62-116783-17

STATE AND NORTHERN DISTRICT OF CALIFORNIA)

) ss. AFFIDAVIT

CITY AND COUNTY OF SAN FRANCISCO)

The undersigned, being duly sworn, deposes and says:

1. That he categorically denies the allegation allegedly made by Joseph Jerome Ducote that Ducote burglarized the residence of Grace McDonald, Santa Clara, California, the San Jose Peace Center, San Jose, California, and the law offices of John Thorne, San Jose, California under undersigned's direction. That Ducote never was a source of information or informant and that the undersigned never directed Ducote's activities and never received any material whatsoever from Ducote.

2. That the undersigned has been in contact with Ducote on two occasions. (a) Ducote came to the San Jose Resident Agency in 1968 and asked assistance in an investigation he said he was conducting for the San Francisco Catholic Diocese. He was told by Special Agent William N. Kidwell, Jr. and Special Agent [redacted] that the FBI could not assist him. (b) On the second occasion the undersigned assisted Special Agent [redacted] in an interview of Ducote on February 19, 1970, at which time Ducote was under investigation on the charge of impersonating a Federal Officer.

b7C

[redacted]
[redacted] Special Agent
Federal Bureau of Investigation

SWORN AND SUBSCRIBED TO BEFORE ME

THIS 30TH DAY OF DECEMBER, 1975:

Jay J. Muir Farber Asst FBI San Francisco 12/30/75

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Transmit attached by Facsimile - PLAINTEXT

JAN 19 1976

TELETYPE

To: DIRECTOR
 From: SAN FRANCISCO
 Subject: JEROME DUCOTE, INFORMATION
 CONCERNING

Fingerprint Photo Fingerprint Record Map Newspaper clipping
 Artist's Conception Other _____

URGENT

Priority

Date: 1/19/76

Time: Transmitter

 Photograph

SAC

Special handling instructions:

ATTN: _____

CIVIL RIGHTS SECTION
GID

b7C

Approved: *WFB*

EX-116

REC-25

62-116783

62-116783-18

loc. (xerox) to 1/19/76, GID

O'DE

1/20/76

JSG

55 FEB 18 1976

60

County of Santa Clara
California

Office of the District Attorney
234 East 6th Road
San Jose, California 95112
275-2651 Area Code 408

Louis P. Borgna, District Attorney

January 8, 1976

Mr. Charles Bates
Special Agent in Charge
Federal Bureau of Investigation
450 Golden Gate Avenue
San Francisco, CA 94102

Re: Jerome Ducote - Burglary and Receiving Stolen Property

Dear Mr. Bates:

I have reviewed the material relating to the above matter left with this office during your visit on Monday, January 5, 1976, and find that it does not contain the material requested in the letter from Eric Collins to James Browning dated December 31, 1975, nor the material requested in my letter to you of January 2, 1976.

Since you have assured this office on a number of occasions that we could "have anything the Bureau has" relating to this case, I would appreciate receipt of the material requested as soon as possible.

b7C

As you know, the expurgated versions of the actual statements requested which you left with our office, and I presume with the Attorney General, are not the actual statements requested.

I am particularly interested in receiving at the earliest possible time a copy of the actual statement made by [redacted] to FBI Agent [redacted] requested in Eric Collins' letter of December 31, 1975, to James Browning. This individual may be prosecutable for burglaries committed in this county, depending upon the evidence contained in this statement in the possession of the FBI, and depending upon the circumstances under which the statement was taken. As you know, we have a criminal case in progress against Jerome Ducote relating to the same burglaries. Further delay in producing this statement will result in the cost of a needless separate trial if [redacted] is ultimately charged with these offenses.

During your visit to this office last Monday, you also asked if we would like a copy of the statement which your office obtained from defendant Jerome Ducote with the consent of his attorney, Thomas Salciccia, on December 24, 1975, in San Jose after we had

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BMO:cs

62-116783-78

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 12 1976	
FBI - SAN FRANCISCO	

Mr. Charles Bat

-2-

January 8, 1976

b7C

filed criminal charges against Mr. Ducote. This statement could well prove valuable to us in prosecuting this case. As you know, it is highly unusual for an attorney to give permission for his client to give a statement to a law enforcement agency concerning the offenses for which he is charged while a criminal case is pending against him. We would like to have a copy of this statement as soon as possible.

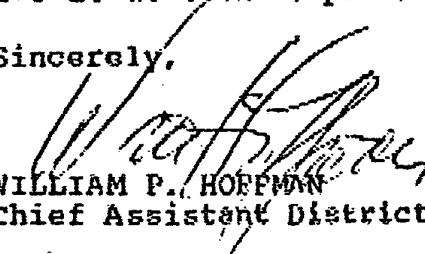
Finally, I notice in the material furnished this office that Agents William Kidwell and [redacted] obtained statements from Jerome Ducote concerning Ducote's "Communist hunting" in 1968 and 1970. We would also like copies of these statements by Mr. Ducote.

I also note in your letter of January 5, 1976, to Attorney General Evelle Younger, you stated that "following a thorough search of our files for material like or similar to the representative sample of the documents obtained in the break-ins, we categorically deny receipt of or possession of this material at any time." I have excellent information that the FBI has in its possession a copy of the mailing list of the San Jose Peace Center. I would appreciate knowing when and from whom and under what circumstances this list was obtained.

Incidentally, I understand from talking to John M. Lilly, Special Agent, Bureau of Investigation, Department of Justice, State of California, that his purported statement to Special Agent [redacted] [redacted] that he and Bob J. McCollum, Investigator, Santa Clara County District Attorney's Office, "had got themselves in a jam" with Ducote and were seeking assistance is a fabrication. Mr. Lilly tells me that the import of this conversation between himself and [redacted] was that [redacted] not Mr. Lilly and Mr. McCollum, had a problem. He says he never said anything about anybody getting into a jam with respect to either himself, Mr. McCollum or [redacted]. I understand Mr. Lilly has written a detailed report on this to his superiors.

I would appreciate your expediting the delivery of the requested material so that we may receive it as soon as possible.

Sincerely,


WILLIAM P. HOFFMAN
Chief Assistant District Attorney

WPH:mas

cc: James L. Browning, Jr., United States Attorney
W. Eric Collins, Deputy Attorney General

FBI

Date: 1/9/76

Transmit the following in _____
(Type in plaintext or code)

AIRTEL

Via _____
(Precedence)

TO: DIRECTOR, FBI

FROM: SAC, SACRAMENTO (62-464) (C)

SUBJECT: JEROME JOSEPH DUCOTE aka; *Jerome Joseph DUCOTE*
INFORMATION CONCERNING *✓ Schwartz, Fred*

Re Sacramento nitel to the Bureau (no copy to Butte) and San Francisco airtel to the Bureau, both dated 1/2/76.

Enclosed for the Bureau are five copies, for San Francisco five copies and for Butte one copy of LHM dated and captioned as above. Also enclosed for the Bureau are two copies each of sworn affidavits of SAs CONRAD N. SHAW and [REDACTED] of the Sacramento Division. (Originals of these statements are maintained in Agents' personnel files.)

b7C

No further investigation appears necessary concerning this matter in the Sacramento Division at this time; however, it is felt that enclosed comprehensive LHM concerning prior investigation in this division may be of value to the Bureau and San Francisco for dissemination purposes.

④ - Bureau (Enc. 9) 62-116783 7 JAN 12 1976
 1 - Butte (62-2686) (Enc. 1) (Info)
 2 - San Francisco (62-6943) (Enc. 5) _____
 2 - Sacramento
 (1 - 62-494)
 (1 - 44-625)

WAW:cap
(9)

CH 42
ENCLOSURE REC-53

3cc CRD
1cc CRU
2cc CRB
1/13/76
JSG/JCT
see file copy.

SIX
THREE

Approved: _____ Sent: _____ Per: _____
Special Agent in Charge

53 FEB 18 1976



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Sacramento, California
January 9, 1976

JEROME JOSEPH DUCOTE,
Also Known As
Jerry Ducote,
Fred Schwartz;

b7C

On March 27, 1974, the Civil Rights Division of the U. S. Department of Justice was telephonically contacted by Jerry Cohen, counsel for the United Farm Workers Union (UFWU) in California. Cohen related that he had been contacted by a person who provided the name Fred Schwartz who purported to have information that three people had, at numerous times over the past several years, broken into various UFWU offices in California as well as offices of other organizations. Cohen received the impression that Schwartz was an attorney representing one of the persons responsible for the break-ins. Schwartz wanted \$35,000 for evidence he would provide linking numerous California growers to these break-ins. Cohen told the Justice Department that he had met with Schwartz on March 25, 1974, in Bakersfield, California, and Schwartz provided Cohen with brief glimpses of materials reportedly seized. Schwartz also provided a list of such places, including a UFWU office in Delano called the Filipino Hall, which Cohen stated was, in fact, an object of an armed robbery in 1973. Cohen stated that materials taken at that time were financial records of the union and records relating to activities covered by the Norris-La Guardia Labor Act. Schwartz further related that there were checks in existence that would establish a financial link between the alleged thieves and the growers. Schwartz was extremely anxious to raise the \$35,000 as his "client" was supposed to be charged that week with fraud by unknown prosecuting authorities.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

62-116783-19

ENCLOSURE

JEROME JOSEPH DUCOTE,
Also Known as
Jerry Ducote,
Fred Schwartz;

b7C

[redacted]

The Civil Rights Division requested that Jerry Cohen be interviewed for full details of his contacts with Fred Schwartz and that Schwartz be identified.

The resulting investigation conducted by the Federal Bureau of Investigation (FBI) in connection with the above request is as follows:

Jerry Cohen, Chief Counsel, UFWU, Keene, California, was contacted on March 28, 1974, and advised as follows:

On March 21, 1974, he received a telephone call from a male individual who said, "You will know me as Fred Schwartz," and indicated he was from San Francisco, California. Schwartz said he had some valuable information to sell concerning break-ins of UFWU offices, churches and the Student Non-Violent Coordinating Committee, in addition to certain individual residences.

On March 25, 1974, a prearranged meeting was held with Schwartz at the Hilton Inn bar in Bakersfield by Cohen and Dan Lavery, an American Civil Liberties Union attorney from Bakersfield and friend of Cohen. At this meeting, Schwartz had, in his possession, a file or folder approximately one inch thick which he said contained stolen UFWU or union related documents. Schwartz said these documents and papers were a sample of others that were accessible to him which were taken in various "robberies" or "from inside" UFWU by an informant, all at the direction of two California growers. Schwartz advised he represented a man who was to be indicted on March 29, 1974, for fraud and that he owes this man a favor. At times, Schwartz referred to the man as his client, the thief, and at other times, he mentioned his

JEROME JOSEPH DUCOTE,
Also Known As
Jerry Ducote,
Fred Schwartz:
[redacted]

b7C

clients, indicating more than one person.

Schwartz exhibited to him a handwritten list of targets of past "robberies", and he recalled the following names from this list:

John Thorne - (Thorne is a San Jose Attorney who did some voluntary work for UFWU in 1965 and 1966.)

William Stanton - (A San Jose Attorney and friend of UFWU who has run for some state or county office in the past.)

Fred Hirsch - (A plumber by trade who was associated with UFWU up to the late sixties.) According to Schwartz, the Hirsch residence in San Jose was burglarized in the 1960s.

The Student Non-Violent Coordinating Committee, San Francisco, California.

The Filipino Hall, Delano, California, (This hall was the victim of an armed robbery during about 1968, at which time some UFWU documents were stolen.)

Sol Aulinsky Group of Chicago, Illinois, (Aulinsky participated in various UFWU activities in the middle to late 1960s.)

A Catholic Church Office, city or state not recalled.

After he examined the above list, Schwartz then handed him two small date calendar books which contained

JEROME JOSEPH DUCOTE,
Also Known As
Jerry Ducote,
Fred Schwartz
[redacted]

the name Sol Aulinsky. He attempted to review these books but they were retrieved by Schwartz before he could examine them for authenticity.

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[redacted] Schwartz allowed him to examine a letter from [redacted] to UFWU Director Caesar Estrada Chavez dated in either 1965 or 1966. [redacted] was associated with the Community Services Organization and UFWU during the 1960s, and he recalls that during about 1965 a UFWU building called the "Pink Building" was burglarized in Delano and some Community Services Organization files were stolen. Schwartz also allowed him to examine a few other unrecalled documents which appeared to contain innocuous information.

Schwartz said the documents he had were stolen in various "robberies" which were committed at the direction of two California farmers, one a large grape grower in Delano and the other a [redacted]

Schwartz said he was asking \$35,000 from UFWU for all of the documents and information available to him. He said \$25,000 was needed to get his client out of trouble and that the extra \$10,000 would be split between unidentified persons. Cohen said he told Schwartz at that time that he had no intention of buying stolen UFWU property.

In addition, Cohen recalled that Schwartz said that John Harmer, a California Assemblyman from the Los Angeles area, was aware of the material in his, Schwartz', possession and was using this information for political gain. Schwartz also mentioned the California Council of Growers but did not specify whether or not this organization was in any way involved in the matter. Schwartz also claimed to Cohen that he had approached an unnamed Delano

JEROME JOSEPH DUCOTE,
Also Known As
Jerry Ducote,
Fred Schwartz:
[redacted]

b7C

grower with a proposition to sell information but was rejected. Schwartz indicated he planned to next contact George Baker, a reporter for the Fresno Bee newspaper in an attempt to peddle his information. Schwartz said he could contact Cohen telephonically on or about March 29, 1974, to arrange for a meeting between Cohen and his client, stating, "This is the last time that you'll see me."

Cohen further advised on March 28, 1974, that he had been in contact with George Baker in Fresno by telephone during March 26, 1974, and March 27, 1974, and Baker acknowledged he had a conversation with Schwartz. Cohen said that several hours after the March 28, 1974, contact with Schwartz, Baker telephonically advised him that he had met Schwartz in Burlingame, California, and that Schwartz had told him that payoffs had been made in 1973 by Delano grape grower [redacted] and grower [redacted] in the amounts of \$2,000 each. Cohen said he advised Baker to call the FBI in Bakersfield with this information, but Baker stated that at the present time he intended to travel to San Jose to personally investigate the matter.

On March 30, 1974, Cohen advised that he had received a telephone call from Schwartz requesting a meet at the Ramada Inn Coffee Shop at Bakersfield on the afternoon of March 31, 1974.

On March 31, 1974, a physical surveillance was conducted in the coffee shop of the Ramada Inn and its immediate vicinity, 2620 Pierce Road, Bakersfield. It was noted that at 3:34 p.m. on that date, a white male, age 45 to 50, 6 feet 1 inch to 2 inches, 215 to 220 pounds, gray hair, wearing a black sweater vest, polka dot shirt and carrying a dark colored briefcase, entered the coffee shop and met with Cohen. They talked until 4:12 p.m., at which time Cohen left. At 4:16 p.m., March 31, 1974, the

JEROME JOSEPH DUCOTE,
Also Known As
Jerry Ducote,
Fred Schwartz.
[redacted]

unknown man who was previously with Cohen left the coffee shop for the motel exit and walked to a 1974 brown Buick, California license 816 JZH. This man proceeded to drive directly to the Hilton Inn, 3535 Rosedale Highway, Bakersfield. This unknown man was photographed by a Special Agent of the FBI from a concealed position approximately 100 feet from the coffee shop door. The individual referred to above who met with Cohen was later determined to be Jerome Joseph Ducote.

During the above surveillance, no conversations were overheard nor could the contents of any notes or documents be determined.

After the above surveillance, and on March 31, 1974, Jerry Cohen gave his account of the meeting with Schwartz as follows:

Schwartz lowered the price of the documents to \$25,000, stating that the papers in question were taken in 16 separate break-ins of UFWU offices, other organizations and residences during 1966 through 1969, and possibly including 1970. Schwartz said these documents were in possession of the House Unamerican Activities Committee for two weeks at some time in the past and have been reviewed periodically by the Military Intelligence during 1966 through 1970, as well as other unknown agencies. Schwartz claimed the break-ins were hired by [redacted] and [redacted] all major California growers.

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Schwartz stated that during October or November, 1973, he received a \$2,000 check from [redacted] and \$2,000 in cash from [redacted] for an unspecified reason, inferring that it could have been "hush money". The \$2,000 in cash was supposedly received by [redacted] from [redacted] a carrot grower in the Salinas Valley.

JEROME JOSEPH DUCOTE,
Also Known As
Jerry Ducote,
Fred Schwartz:
[redacted]

Schwartz told Cohen he was disenchanted with his former associates who were not identified. He mentioned that he had aspirations of writing a book concerning the matter. Schwartz claimed there were two persons who are being paid "hush money" by the growers, one in Mexico and one in Spain, and that periodically an Agent of the Army Intelligence or the Central Intelligence Agency (CIA) approaches [redacted] for additional money for these two individuals.

Cohen said that Schwartz would not allow him to closely examine any of the documents discussed and he told Schwartz that insofar as he was concerned UFWU would not pay for the documents. Schwartz asked him to confer with the UFWU Board concerning the matter, which was done, and on the same date, Schwartz telephoned him for a final decision. During that conversation, he told Schwartz that the UFWU Board decided not to pay any money in regard to this matter. He further told Schwartz that he had communicated with the Civil Rights Division of the U. S. Department of Justice, who advised him to tell Schwartz to contact the FBI in Bakersfield concerning the documents. Schwartz indicated that he would contact the FBI on April 1, 1974.

b7C

Cohen concluded by stating that he had been in telephonic contact with [redacted] and [redacted] told him that no payments would be made to Schwartz by [redacted]

On April 1, 1974, Cohen advised that he had received a telephone call from Schwartz, who told him he needed immediate cash for bail between \$600 and \$1,000 and, in return, would be willing to sign a statement implicating certain California growers in 16 burglaries.

JEROME JOSEPH DUCOTE,
Also Known As
Jerry Ducote,
Fred Schwartz:

b7C

[redacted]

He indicated that bond in connection with some unknown matter was between \$6,000 and \$10,000 and said, "We need bail bad." Schwartz said he had contacted an attorney "up north" who told him other matters should be resolved before contact with the FBI.

Schwartz appeared very desperate during the conversation. Cohen recalls Schwartz mentioning that one of the persons involved in the burglaries had nine children.

After the above contact with Cohen and still on April 1, 1974, an individual who identified himself as Fred Schwartz telephonically contacted the Bakersfield Office of the FBI and stated he had been in contact with Jerry Cohen. Schwartz said that Cohen told him he had talked to Senator Kennedy's Office, who would make arrangements for him, Schwartz, to furnish information to the FBI. He declined to discuss the matter on the telephone and made an appointment to appear in the FBI Office at Bakersfield at 9:30 a.m., April 4, 1974.

On April 2, 1974, Ducote was contacted by FBI Agents at Room 240 of the Hilton Inn in Bakersfield and advised as follows:

He admitted he has been in contact with Jerry Cohen of the UFWU and George Baker of the Fresno Bee during the past two weeks using the name Fred Schwartz. He also admitted he is the same individual who contacted Special Agent Conrad N. Shaw by telephone on the afternoon of April 1, 1974, using the name Fred Schwartz, and made an appointment with Special Agent Shaw for 9:30 a.m., April 4, 1974. He intended to delay talking to the FBI until April 4, 1974, in order to confer with his attorney, Hal Chapman, of San Jose, California, telephone 408-294-2270. He intends to leave Bakersfield on April 2, 1974, to discuss his situation with Chapman and return on the

JEROME JOSEPH DUCOTE,
Also Known As
Jerry Ducote,
Fred Schwartz;

b7C

[redacted]
evening of April 3, 1974.

He apologetically declined to furnish any details concerning his situation but did furnish the following information concerning the reasons for his recent actions under the name Schwartz:

During the past four years he has been self-employed in the public relations business. During this same period, he and others were engaged in gathering intelligence for certain California growers, mainly concerning UFWU and its Director, Caesar Chavez. He is now "boxed in" because of his past activities with the growers. He is in debt in the amount of \$20,000 in connection with a past loan and pressure is being exerted for repayment. He had been advised by his attorney to declare bankruptcy, since the matter appeared to be of a civil nature; however, at present the local District Attorney's Office at San Jose is contemplating criminal fraud charges. He described another man involved with him as having nine children. He would not elaborate on the above information.

He was formerly employed by the Saint Dismas Publishing Company, San Jose, which company is no longer in business. Prior to that time, and during the period 1954 through 1963, he was a deputy sheriff for the Santa Clara, California, County Sheriff's Office.

Ducote furnished the following background information concerning himself:

Name	Jerome Joseph Ducote
Aliases	Jerry Ducote
	Fred Schwartz
Sex	Male
Race	White

JEROME JOSEPH DUCOTE,
Also Known As
Jerry Ducote,
Fred Schwartz;

b7C

6/2
31
36

Date of Birth June 28, 1929
Place of Birth Gulfport, Mississippi
Residence 1528 Hanchette
San Jose, California
6 feet 3 inches
Height 225 pounds
Weight Brown
Eyes Gray, receding
Hair Marital Status Married
Married
U. S. Army,
1949 - 1953, Army Serial
Number 19324764
(not sure if correct number)

Social Security 571-20-3937
Account Number
Wife

Mary Ducote *Mrs Jerome Joseph*
1528 Hanchette *Ducote*

Children

San Jose, California
Seven, ranging from age
five to age 16, all
residing with parents

Mother

Mrs. E. M. Ducote
664 North 15th Street

Sister

San Jose, California
Lee Smith *Ducote (nee)*
street address unknown

Saratoga, California,
whose husband, Quentin,
is an attorney

On April 3, 1974, Ducote telephonically contacted the FBI at Bakersfield, stating that he was calling from San Jose, California, to advise that he would not be able to confer with his attorney until April 6, 1974, and would, thereafter, make an appointment to be interviewed by the FBI at Bakersfield, stating he did not desire to be contacted at San Jose.

JEROME JOSEPH DUCOTE,
Also Known As
Jerry Ducote,
Fred Schwartz:

[redacted]

[redacted]

[redacted]

Fresno, California, telephonically contacted the FBI at Bakersfield on April 3, 1974, and stated that he had made personal contact with Fred Schwartz at Burlingame on March 28, 1974, at which time Schwartz attempted to sell him information concerning 16 burglaries. Schwartz allowed him to make a list of the burglaries and examine some documents. He said Schwartz' information was limited and [redacted] does not intend to purchase any information or documents. [redacted] indicated that he had determined Schwartz' possible true identity through a car registration.

b7C

Ducote telephonically advised the FBI at Bakersfield on April 8, 1974, that he and his attorney were scheduled to confer with Santa Clara County, California, Assistant District Attorney Dennis Lempert and his attorney had advised to delay a meeting with the FBI until talks with Lempert are concluded.

On April 10, 1974, Lempert advised that he had a meeting scheduled with Ducote on April 11, 1974, at San Jose. He said he had filed numerous grand theft charges against Ducote in the past and described Ducote as a "con man". Lempert advised that he is acquainted with Hal Chapman, Ducote's alleged attorney, and that Chapman told him that he was not receiving any money to represent Ducote.

Ducote telephonically contacted the FBI at Bakersfield on April 18, 1974, to advise that he was then ready to furnish information to the FBI. He said his attorney, Hal Chapman, of San Jose, requested that he, Ducote, be interviewed at San Jose. He requested that Chapman be contacted for an interview date. On April 19, 1974, Chapman was contacted at 111 West St. John Street, San Jose, at which time Ducote was present.

JEROME JOSEPH DUCOTE,
Also Known As
Jerry Ducote,
Fred Schwartz:
[redacted]

Chapman advised that Ducote had information pertaining to the UFWU and had obtained this information as a result of working for some people (people not identified). Chapman said Ducote became involved and these people backed out, stating that this information is "bigger than Watergate". Chapman, at that time, desired to have Ducote granted immunity from Federal prosecution before divulging the information. Chapman said that this information involves politicians and others not identified, and he believes that Ducote's life may possibly be in danger. Chapman said he also desired immunity for Ducote from local prosecution.

b7C

This information was furnished to the U. S. Department of Justice, who advised that Chapman should be referred directly to the Civil Rights Division of that department concerning the above request for immunity.

On April 22, 1974, George Baker, reporter for the Fresno Bee, telephonically advised the FBI at Bakersfield that he had determined that Fred Schwartz' true name is Jerry Ducote, a resident of San Jose. He said he had verified that [redacted] of [redacted]

[redacted] the Saint Dismas Publishing Company, a California corporation, and that Robert K. Wilhelm of 1652 Park Hills Avenue, Los Altos, California, and Ducote were officers of that corporation. This corporation ceased operations, according to Baker, on February 1, 1973, for non-payment of taxes. Baker said the Saint Dismas Publishing Company only printed one book, which publication concerned the life of Sol Aulinsky of Chicago, Illinois.

On April 25, 1974, Dennis Lempert was advised of Chapman's concern for Ducote, and he stated that he would be alert for anything that might threaten Ducote's life.

JEROME JOSEPH DUCOTE,
Also Known As
Jerry Ducote,
Fred Schwartz;
[redacted]

Since possible violations of California statutes were involved in this matter, the Criminal Division of the Kern County Sheriff's Office, Bakersfield, California, as well as the Delano Police Department, were advised of the allegations and information developed concerning this matter.

None of the alleged stolen documents referred to above were ever received by the Sacramento Division of the FBI, which division covers Bakersfield, California, and Ducote was never a "source" or "informant" of the Sacramento Division.

b7C

[redacted] has never furnished the Sacramento Division of the FBI any type of information or documents.

I, [redacted]

being duly sworn, do hereby
swear the following to be a true and correct statement.

On April 2, 1974, an occasion arose for Special Agents of the Federal Bureau of Investigation, CONRAD N. SHAW and [redacted] to make contact with an individual at the Hilton Inn, Bakersfield, California.

b7C

The reason for the contact was the investigation into allegations by JERRY COHEN, attorney for the United Farm Workers, that an individual who had identified himself to COHEN as FRED SCHWARTZ, was attempting to sell to the United Farm Workers, records of that organization, which were stolen in burglaries of United Farm Workers Offices.

This individual was contacted at the Hilton Inn, and subsequently identified himself to the Special Agents as JOSEPH JEROME DUCOTE, AND ALSO ADMITTED using the name FRED SCHWARTZ in his contacts with Mr. COHEN.

DUCOTE furnished back ground information regarding himself, however would only discuss in very general terms, the purpose of his contact with Mr. COHEN, stating that he desired to consult with his attorney prior to furnishing any details. Mr. DUCOTE, although apprised of the reasons for the F. B. I. investigation into his activities, never displayed or offered to furnish to the Agents any type of documents or copies of documents pertaining to stolen United Farm Worker records. No documents were obtained from DUCOTE at this meeting.

This is the first and only contact of SPECIAL AGENT [redacted] with JOSEPH JEROME DUCOTE. [redacted]

Signed: [redacted]

Sworn to and subscribed before me on December 31, 1975 at Bakersfield, California.

Signed: [redacted]

Special Agent - FBI

62-11683-19

ENCLOSURE

January 8, 1976
Sacramento, California

I, Conrad N. Shaw, Special Agent, Federal Bureau of Investigation, being duly sworn, make the following statement:

During March, 1974, I was requested by FBI superiors to conduct an investigation to identify one Fred Schwartz who had been in contact with Jerry Cohen, an attorney for the United Farm Workers Union in California. This investigation was to entail surveillance coverage, including photography, of any future meetings between Schwartz and Cohen.

On March 31, 1974, I, along with other Special Agents of the Federal Bureau of Investigation, conducted a physical surveillance at Bakersfield, California, of a meeting between Cohen and a man purported to be Fred Schwartz. During this meeting I took photographs of Schwartz from a concealed position.

62-116783-19

ENCLOSURE

The following day I received a telephone call from a man who identified himself as Fred Schwartz. This man stated he had been in contact with Cohen, who told him Senator Kennedy's Office would make arrangements for him, Schwartz, to furnish information to the FBI. Schwartz declined to discuss the matter on the telephone, stating he would come to the FBI Office in Bakersfield on April 4, 1974.

It had been determined that Schwartz was apparently Jerome Joseph Ducote and that Ducote was then staying at the Hilton Inn at Bakersfield.

On April 2, 1974, Ducote was contacted at the Hilton Inn, Bakersfield, by myself and Special Agent [redacted] [redacted] of the FBI, at which time Ducote admitted his true name as Jerome Joseph Ducote, that he had been in contact with Cohen using the name Fred Schwartz, and furnished some background information. Ducote also admitted the telephone contact with me on April 1, 1974, using the name Schwartz. Ducote said that during the past four years he and others had been engaged in gathering intelligence for certain California growers, mainly concerning information regarding the United Farm Workers and its Director Cesar Chavez. Ducote declined to furnish details concerning the

b7C

matter, stating that he desired an opportunity to talk to his attorney at San Jose, California. At that time, Ducote said he would leave Bakersfield on April 2, 1974, discuss the situation with his attorney, and return to Bakersfield to talk with me on April 3, 1974. On April 3, 1974, Ducote telephonically advised me that he would be unable to consult with his attorney until April 6, 1974. On April 8, 1974, Ducote telephonically advised me that he was scheduled to confer with an official of the Santa Clara, California District Attorney's Office and that his attorney had advised him to delay talking to the FBI until after that meeting.

On April 18, 1974, Ducote telephonically advised me that he was ready to furnish information to the FBI and requested that his attorney, Hal Chapman, be contacted at San Jose to arrange an interview in that city. This information was furnished to FBI Offices in Washington, D. C., and San Francisco, California, on April 18, 1974.

At no time did I receive any documents of any type from Ducote either in person or through any other means. Neither did Ducote furnish me with any pertinent information concerning his alleged intelligence gathering activities.

The personal contact with Ducote on April 2, 1974, was the first and last such personal contact I have had with this individual.

Signed:



Sworn to and subscribed before me on January 8, 1976, at Sacramento, California.

Witnessed:

b7C

UNITED STATES GOVERNMENT

*Memorandum**file
copy*

TO : Assistant Attorney General
CIVIL RIGHTS DIVISION

FROM : Director, FBI

DATE: 1/13/76

ATTENTION: WILLIAM L. GARDNER

SUBJECT: **JEROME JOSEPH DUCOTE, AKA;**

b7C

INFORMATION CONCERNING

Reference is made to my memorandum dated 12/18/75
 (your file DJ 144-11E-126). **JSP:WLG:lgf**

There is enclosed one copy of the **INFORMATION CONCERNING** an LHM
 dated 1/9/76 at Sacramento.

- A. This covers the preliminary investigation and no further action concerning a full investigation will be taken by this Bureau unless the Department so directs.
- B. The investigation is continuing and you will be furnished copies of reports as they are received.
- C. The investigation requested by you has now been completed. Unless advised to the contrary no further inquiries will be made by this Bureau.
- D. Pursuant to instructions issued by the Department, no investigation will be conducted in this matter unless specifically directed by the Department.
- E. Please advise whether you desire any further investigation.
- F. This is submitted for your information and you will be advised of further developments.
- G. This is submitted for your information and no further investigation will be conducted unless specifically requested by the Department.
- H. This covers the receipt of a complaint and no further action will be taken by this Bureau unless the Department so directs.

Enc. 3

NOTE: See page 2.

[Signature]

Assistant Attorney General
Civil Rights Division

NOTE: Investigation and affidavits from our San Francisco Office will be forwarded upon receipt.

On 12/22/75 JOHN LILLY, Bureau of Investigation, Department of Justice, State of California, advised that JEROME DUCOTE had been arrested by them and incarcerated in the Santa Clara County Jail with bail set in the amount of \$100,000. He is charged with 14 counts of Grand Theft and Possessing and Concealing Stolen Property. LILLY stated that in their continuing investigation they now find that DUCOTE merely alluded to dealing with some security agency and that other people concluded that it must be the CIA or FBI.

San Francisco is now in receipt of a copy of the letter directed by the State Attorney Generals to the United States Attorney with the specifics of their allegations.

San Francisco will respond appropriately to this letter with a copy to the United States Attorney refuting the allegations in their entirety. The representative sample of the documents mentioned in the Attorney General's letter has been forwarded to this office by the United States Attorney.

(San Francisco)

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

FROM : Legal Counsel *JK*

SUBJECT: JOSEPH JEROME DUCOTE, AKA:

DATE: January 30, 1976

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Regulation. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

b7C

INFORMATION CONCERNING CIVIL RIGHTS

By nitel dated 1/26/76, Bureau advised San Francisco that, following review by FBIHQ and Departmental Attorney William L. Gardner, they were authorized to make available to the California Attorney General and the Santa Clara District Attorney pertinent FD 302s and memoranda concerning subject Ducote. Ducote is incarcerated at the Santa Clara County Jail on local charges of grand theft, possession and concealing/stolen property. These documents are necessary to assist state authorities in their prosecution of Ducote, and include interviews of Ducote conducted by San Francisco in 1970 for impersonation, at which time prosecution was declined.

On 1/27/76, SAC Bates called Legal Counsel Division and spoke with Deputy Assistant Director Farrington. He raised the question as to whether they should furnish originals of the FD 302s, should administrative markings be deleted and whether or not he should convey to state authorities that these documents are merely being loaned to them. He was advised that since it is not known at this time whether or not state authorities will actually use these documents in connection with their prosecution of Ducote, they should be provided only copies of pertinent documents with administrative markings being deleted and that state authorities should be advised that upon the usefulness of these documents being terminated with them, they should be returned to our San Francisco Office. However, it was explained to Mr. Bates that in the event they attempted to introduce these documents into court, it might become necessary, at the Judge's insistence, that he be furnished either the originals or an affidavit pointing out that the copies furnished the court were true copies of those documents in our files, in which case they would have to either furnish the court the documents containing administrative markings or explain the deletions to the Judge. SAC Bates subsequently called back and advised that this

1 (Attn:)

1

1 - Mr. Farrington

8 JCF:mtm

(4) *JK*

FEB 6 1976

LEGAL COUNSEL

CONTINUED - OVER

Memo to Mr. Adams
Re: JOSEPH JEROME DUCOTE, AKA, etc.

procedure was completely acceptable to the state authorities. During this latter contact Mr. Bates advised that the state authorities were also interested in receiving pertinent 302s and memoranda resulting from a civil rights investigation conducted by our Sacramento Office in report dated 4/19/74, by SA Conrad N. Shaw, captioned, "JEROME JOSEPH DUCOTE; JERRY COHEN, United Farm Workers, Keene, California - Victim." Following review of these documents by FBIHQ and Departmental Attorney Gardner, they were forwarded to San Francisco.

RECOMMENDATION:

For information.

✓ JSP *JH* *✓ JG*
✓ PC *JM*
✓ JBA
✓ PEM

F B I

Date: 1/13/76

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, SAN FRANCISCO (62-6943)

SUBJECT: JOSEPH JEROME DUCOTE, aka
Jerry Ducote,
Fred Schwartz.

INFORMATION CONCERNING

Re San Francisco airtel, 1/2/76.

Re: *Re: 1/2/75*
Enclosed herewith are two copies of a letter received from State Deputy Attorney General W. ERIC COLLINS. One copy each is enclosed for Butte and Sacramento.

He requests the original documents on the interview 12/20/75 and 1/5/76 and the interview with by the Butte Division.

b7C

Also enclosed are copies of these FD 302s and a copy of Butte letter to Sacramento dated 1/28/75.

The Bureau is requested to seek a ruling from the Department as to whether or not these can be disseminated.

4 enc. to CRD

070E
1/20/76

JSG/jet

See file Copy.

4-Bureau (Enc. 8) (4 External Affairs Division) (RM)
2-Sacramento (Enc. 1) (RM)
2-Butte (Enc. 1) (RM)
2-San Francisco
RSB:kah S-1
(10)

ENCLOSURE

REC-25

EX-III

1 JAN 15 1976

56 FEB 26 1976
Approved: *Special Agent in Charge*
RECORDED
RESEARCH SECTION
LEGAL COUNSEL

Sent _____ M Per _____



~~CONFIDENTIAL~~

AUTOMATICALLY DECLASSIFIED ON 04-27-2007

OFFICE OF THE ATTORNEY GENERAL

Department of Justice

STATE BUILDING, SAN FRANCISCO 94102

(415) 557-3926

January 8, 1975

Charles W. Bates
Special Agent in Charge
United States Department of Justice
Federal Bureau of Investigation
450 Golden Gate Avenue
San Francisco, California 94102

Dear Mr. Bates:

Thank you for your letter of January 5, 1976, enclosing a copy of the report dated January 2, 1976. I am glad to learn that you are able categorically to deny the allegation that any of these break-ins were performed with either the knowledge or tacit approval of the Federal Bureau of Investigation. In addition, I am pleased to know that after a thorough search of F.B.I. files, no material like or similar to the representative sample of documents forwarded to you was found and you are able categorically to deny receipt or possession of such material at any time.

Please accept my thanks for the efforts made by yourself and your agents in this connection.

I write also to confirm our telephone conversation of January 6, 1976. Please accept this letter as a request for copies of the original documents or notes prepared on the interview on December 24, 1975 with Ducote, (and, of course, the subsequent telephone call from Ducote), and in addition the interview with [redacted] in January, 1975 presumably in Idaho. As I informed you, Agent John Lilly probably accompanied by District Attorney's Investigator Robert McCollum will be going to Coeur D'Alene, Idaho, to interview [redacted] and to establish the period of his residence in Idaho.

b7C

It would materially assist that effort if a copy of the original document in whatever form it is extant, could be made available. I accept with thanks your offer to talk with the Bureau's agents in Butte, Montana, and Coeur D'Alene, Idaho, in order to obtain the original in whatever form it exists. Such a document would be critical in any proposed prosecution of [redacted]

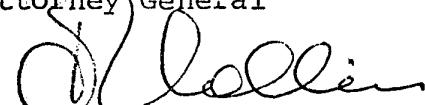
62-116783-2
ENCLOSURE

Charles W. Bates
January 8, 1975
Page Two

Please accept my thanks for the urgent treatment which
you are giving these requests.

Yours very truly,

EVELLE J. YOUNGER
Attorney General


W. ERIC COLLINS
Deputy Attorney General

WEC:tab

cc: Ray Lauritzen
Chief
Bureau of Investigation
P. O. Box 13327
Sacramento, CA 95813

James L. Browning, Jr.
United States Attorney
Northern District of California
450 Golden Gate Avenue
San Francisco, CA 94102

William P. Hoffman
Chief Assistant District Attorney
County of Santa Clara
234 East Gish Road
San Jose, CA 95112

FEDERAL BUREAU OF INVESTIGATION

b7C

Date of transcription 12/30/75

JEROME JOSEPH DUCOTE, Inmate, Santa Clara County Jail, North County Facilities, Palo Alto, Calif., was advised as to the identities of the interviewing Agents. SA [redacted] advised DUCOTE of the purpose of the interview, that being DUCOTE's supposedly having worked for the Federal Bureau of Investigation (FBI) and turning over documents to the FBI, these documents being taken from numerous burglaries alleged to have been committed by DUCOTE in Delano, California.

SA [redacted] advised DUCOTE of his rights by means of a Warning and Waiver of Rights form, which DUCOTE read, stated that he understood, but before signing he wanted to telephonically contact his attorney, THOMAS SALCICCIA and obtain his okay before doing so. DUCOTE telephonically contacted his attorney and on the advice of his attorney, signed the Warning and Waiver of Rights form.

DUCOTE advised that he has never worked for the FBI in any capacity. He advised that he did not turn over any documents to Agents of the FBI, nor did he ever meet any Agents of the FBI who were acting undercover in any capacity.

DUCOTE advised that on February 14, 1975, he met with WALTER KUBIAS, California State Department of Organized Crime and Criminal Intelligence Bureau, and provided KUBIAS with approximately a ninety-five page statement pertaining to the United Farm Worker's Union in Delano, California. DUCOTE advised that at that time, KUBIAS made him a promise of no prosecution if he was to tell everything he knew. DUCOTE advised that the Attorney General's Office in the State of California apparently sat on this matter until October 15, 1975, when it was again brought to light. He advised that apparently JOHN LILLY of the California State Attorney General's Office took over the investigation from KUBIAS.

DUCOTE advised that during his discussions with KUBIAS, he at no time ever mentioned or stated that he was employed by the Federal Bureau of Investigation, nor did he

Interviewed on 12/29/75 at Palo Alto, California File # SF 62-6943
 by SAs and [redacted] vs 62-116783-2 Date dictated 12/30/75

ENCLOSURE

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ever state that he had given documents to Agents of the Federal Bureau of Investigation. He further advised that no names of FBI Agents were ever mentioned in his discussions with KUBIAS.

DUCOTE advised that Western Research, which is located in Oakland, California, had sent an Agent down to review papers that he (DUCOTE) had in his possession. DUCOTE said that he thought this individual was from Army Intelligence based on the way the person was dressed and his general appearance. DUCOTE advised that he had what he believed were two meetings with the Central Intelligence Agency (CIA), the first being in Washington, D.C., and the second in San Jose, California. He advised that he never directly contacted the CIA for these meetings, but that the contact was made by the Farmer's Union. DUCOTE did not comment further on this matter inasmuch as he was concerned that it might jeopardize his current position. DUCOTE advised that he also thought that at one time he had met with an Air Force intelligence officer with respect to the matter.

In addition, the following description was obtained through observation and interview:

Name	JEROME JOSEPH DUCOTE
Home address	2108 Belaire San Jose, California
Race	White
Sex	Male
Date of birth	June 28, 1929
Height	6'3"
Weight	230 pounds
Hair	Gray
Eyes	Brown
CII No.	5 407 222
CJIC No.	7557284
Scars	Scar on left forearm

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/6/76

JEROME JOSEPH DUCOTE, Inmate, Santa Clara County Jail, North County Facilities, Palo Alto, California, was advised as to the identities of the interviewing Agents. SA [redacted] advised DUCOTE that the purpose of the interview was based upon his (DUCOTE) telephone call to the San Jose Resident Agency of the FBI requesting that he be able to talk to an Agent and clarify the newspaper article that appeared in the San Jose "Mercury" on January 2, 1976 in which an unknown source stated that documents were given to the FBI, these same documents being stolen from burglaries committed by DUCOTE. SA [redacted] advised DUCOTE of his rights by means of a Warning and Waiver of Rights form, which DUCOTE read, stated that he understood and signed.

DUCOTE advised that he telephonically contacted the San Jose Resident Agency of the FBI and requested that an Agent interview him concerning a newspaper article that appeared in the San Jose "Mercury" on January 2, 1976. He advised that the reason that he wanted to be interviewed was that he wanted to state that he was not the unknown source that said documents had been turned over to the FBI. He stated that he believed that the individual responsible for this was JERRY BOISE (ph). He advised that BOISE was a dance instructor at the San Jose Recreation Department. He described BOISE further as being approximately age 46, with reddish graying hair. He said that he is normally in the Country Inn Restaurant at approximately 9:00 AM every morning. This Country Inn Restaurant is located in the Town and Country Shopping Plaza in San Jose, California. b7C

DUCOTE advised that he (DUCOTE) has never talked to a Special Agent of the FBI by the name of [redacted]. He said that he knows [redacted] but that he has never talked to him. DUCOTE stated that he has never talked to the FBI in Los Angeles, California, in 1973.

DUCOTE stated that he believes that the purpose of BOISE saying that documents were given to the FBI is that BOISE wants to hurt R. KEN WILHELM, who was in on the deal with him (DUCOTE). DUCOTE did not further elaborate on

Interviewed on 1/5/76 at Palo Alto, California File # SF 62-6943

by SAs [redacted] rvs 62-116783 2/1/76
and [redacted] Date dictated

ENCLOSURE

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

2
SF 62-6943
DKB:rvs

his (DUCOTE) connection with WILHELM. DUCOTE said that BOISE previously had dealings with WILHELM and BOISE feels that he got the short end of the deal.

DUCOTE advised that he first met BOISE approximately one year ago. He believed that this meeting first took place in October or November of 1974 at the Howard Johnson Restaurant in San Jose, California. He advised that BOISE made the first contact with him. Thereafter, BOISE acted as a go-between between DUCOTE and WALTER KUBAS, an investigator for the State of California. DUCOTE advised that it was BOISE who finally set up a meeting between himself and KUBAS.

DUCOTE stated that he believes that BOISE is paranoiac. He advised that BOISE had told him in the past that he gets his messages from the license numbers from the people that are following him. BOISE feels that everyone is against him and that this plot against BOISE was perpetrated by WILHELM. DUCOTE feels that the purpose that BOISE is providing information to the newspaper is in an effort to destroy WILHELM.

DUCOTE advised that BOISE had told him that he (BOISE) had been to the FBI, Secret Service, and to the Office of DON EDWARDS in the past. DUCOTE said that he was not aware of the exact dates that these contacts took place. DUCOTE stated that he never has told BOISE that he had turned over any documents to the FBI.

DUCOTE advised that he was told by his attorney, STEVE LEWIS of San Francisco, California, that BOISE had told someone that he (BOISE) was the source of the information that appeared in the newspaper on January 2, 1976. DUCOTE advised that LEWIS could be reached at 100 Bush Street, San Francisco, and had telephone number 468-0800.

SAC, SACRAMENTO

1/28/75

~~SAC, BUTTE (62-new) (P)~~

INFORMATION CONCERNING

[redacted] has contacted the Coeur d'Alene, Idaho Resident Agency on several occasions and the following information is a summation of the information furnished by him: 100-47715-117

100-47115-117 (254) ~~Jerome, Joseph~~

b7C
b7D

said he last saw DUCOTE

California:

2 - Sacramento
2 - San Francisco
2 - San Diego
2 - Butte
RPR/cde
(8)

ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

TO : Assistant Attorney General
CIVIL RIGHTS DIVISION

FROM : Director, FBI

DATE: 1/20/76

ATTENTION: WILLIAM L. GARDNER

SUBJECT: **JOSEPH JEROME DUCOTE, AKA**
JERRY DUCOTE,
FRED SCHWARTZ.

INFORMATION CONCERNING

Reference is made to _____ memorandum dated _____
 (your file _____).

There is enclosed one copy of the report of Special Agent See Note
 dated _____ at _____.

A. This covers the preliminary investigation and no further action concerning a full investigation will be taken by this Bureau unless the Department so directs.

B. The investigation is continuing and you will be furnished copies of reports as they are received.

C. The investigation requested by you has now been completed. Unless advised to the contrary no further inquiries will be made by this Bureau.

D. Pursuant to instructions issued by the Department, no investigation will be conducted in this matter unless specifically directed by the Department.

E. Please advise whether you desire any further investigation.

F. This is submitted for your information and you will be advised of further developments.

G. This is submitted for your information and no further investigation will be conducted unless specifically requested by the Department.

H. This covers the receipt of a complaint and no further action will be taken by this Bureau unless the Department so directs.

~~NOT RECORDED~~

23 FEB 10 1976

Enc. 7

NOTE: See page 2.

62-116783

56 FEB 18 1976
HJD5-16-87
11

R

Assistant Attorney General
Civil Rights Division

NOTE: The enclosed self-explanatory letters from the Attorney General, State of California and District Attorney, Santa Clara County, California, set out their request for certain original FD-302's and memoranda regarding interviews conducted re this matter. A response at your earliest convenience would be appreciated by the California authorities as their prosecution of the subject is eminent.

Airtel

2/27/76

To: SAC, San Francisco (62-943)

b7C

From: Director, FBI (62-116783)

JOSEPH JEROME DUCOTE, ALSO KNOW AS, JERRY
DUCOTE, FRED SCHWARTZ;

1



INFORMATION CONCERNING
CR

Re Butel dated 1/28/76.

Advise status.

JSG:nlc
(4)

NYC

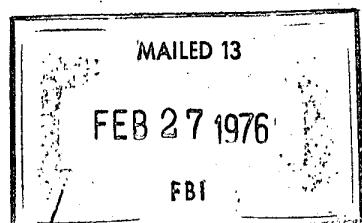
REC-48

EX 104

62-116783-22

6 MAR 2 1976

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Dir. _____
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egal Coun. _____
telephone Rm. _____
irector Sec'y _____



13/3/1976
MAR 13/3/1976
MAIL ROOM TELETYPE UNIT
GPO 954-546

F B I

Date: 2/12/76

Transmit the following in

(Type in plaintext or code)

AIRTEL

AIR MAIL

Via

(Priority)

TO: DIRECTOR, FBI (62-116783)

FROM: SAC, SAN FRANCISCO (62-6943) (P)

SUBJECT: JOSEPH JEROME DUCOTE, aka
Jerry Ducote,
FRED SCHWARTZ;

INFORMATION CONCERNING

Rebuairtel 12/18/75, and San Francisco airtel
and LHM dated 1/2/76.

Enclosed for the Bureau are five copies of an
LHM dated and captioned as above. Two copies are furnished
Sacramento and one to Butte for information.

Referenced LHM reported all investigation
requested by the Bureau with the exception of the interviews
of JERRY COHEN, [REDACTED] and appropriate
officials at Western Research, Oakland, California.

1-CRD

1-CPL

0701

3/3/76

JS/Get

REC-69

b7C

- 4 - Bureau (Enc. 7)
(2 - External Affairs Division)
- 1 - Butte (Enc. 1) (Info)
- 2 - Sacramento (Enc. 2) (Info)
- 2 - San Francisco
- MES:lmk
(9)

7 FEB 19 1976

236
56 MAR 15 1976

Approved: _____ Sent: _____ M Per: _____
Special Agent in Charge

F B I

Date: 3/4/76

15

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI (62-116783)

FROM: ~~CCB~~ SAC, SAN FRANCISCO (626943) (P)

SUBJECT: JOSEPH JEROME DUCOTE, aka;
 [REDACTED]
 INFORMATION CONCERNING
 CR

Re Bureau airtel, 2/27/76.

b7C

Records, Santa Clara County Municipal Court, as of 3/4/76, indicate [REDACTED] was charged and arraigned on four felony burglary counts on 2/3/76, and released on his own recognizance. [REDACTED] is scheduled to be arraigned in Santa Clara County Superior Court, 3/9/76.

Records, Santa Clara County Superior Court, indicate DUCOTE is scheduled for pre-trial hearing 3/12/76.

The court clerk said there was an indication that the Santa Clara County District Attorney's Office may file a motion to try DUCOTE and [REDACTED] at the same time.

REC-69

62-116783-04
MAR 6 1976b7C
b7D

②- Bureau
 2 - San Francisco
 AMES:ekf
 (4)

Approved: 36 Sent _____ M Per _____
 61 MAR 16 1975 Special Agent in Charge

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 5/13/76

FROM : Legal Counsel *John*

SUBJECT: SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL
RIGHTS OF THE HOUSE COMMITTEE ON THE
JUDICIARY

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Soc'y _____

PURPOSE:

Purpose of this memorandum is to advise of conversation with Alan Parker, Chief Counsel of captioned Committee, who advised that the Assistant District Attorney in Santa Clara, California, had testified that the FBI had lied to him about its association with an individual,

SYNOPSIS:

b7C

Alan Parker, Chief Counsel of captioned Committee, has advised that Assistant District Attorney William Hoffman, Santa Clara, California, had testified that the FBI had lied to him about its association with . In a companion matter, Joseph Jerome Ducote previously pled guilty to burglary charges and was an associate of . Ducote had made statements that he performed burglaries while working for the FBI. The Committee is obtaining copies of the hearing transcript and is considering sending staff personnel to investigate the matter in California.

RECOMMENDATION:

That the General Investigative Division make appropriate inquiries of the San Francisco Office.

APPROVED:

Assoc. Dir. *John*
Dep. AD Adm. _____
Dep. AD Inv. *John*
Asst. Dir. *John*
Adm. Serv. _____

Ext. Affairs.....
Fin. & Pers.....
Gen. Inv.....
Ident.....
Inspection.....
Intell.....

Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgmt. _____
Spec. Inv. _____
Training _____

62-116783-133
CONTINUED -- OVER
NOT RECORDED
170 MAY 24 1976
7 MAY 18 1976

1 -
1 -
1 -
2 -
1 -

DOC:mcz

55 JUN
1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

LEGAL REQUIREMENT

Legal Counsel to Mr. Adams Memo
Re: SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL
RIGHTS OF THE HOUSE COMMITTEE ON THE
JUDICIARY

b7C

DETAILS:

On May 12, 1976, Alan Parker, Chief Counsel for captioned Committee, advised Paul Daly that the Committee had received information that Assistant District Attorney William Hoffman of the Santa Clara, California, District Attorney's office, had testified in local court that the FBI had lied to him about its association with an individual named [redacted]

[redacted] has been charged by local authorities in California with numerous counts of burglary and has offered the defense of denial of speedy trial, alleging that the FBI knew of the burglaries and took no action.

In a companion matter, Joseph Jerome Ducote previously pled guilty to numerous burglary charges and was associated with [redacted] Ducote had made statements that he had performed burglaries while working for the FBI.

Parker further advised that the Committee was obtaining a copy of the hearing transcript in which the allegations were made and is considering sending staff personnel to California to look into the allegations.

Representatives of the General Investigative Division have been orally advised of this matter by the Office of Congressional Affairs.

F B I

Date: 4/20/76

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

Bl

TO: DIRECTOR, FBI (62-116783)
 FROM: *CW* SAC, SAN FRANCISCO (62-6943)
 SUBJECT: JOSEPH JEROME DUCOTE, aka.
 INFORMATION CONCERNING

DUCOTE appeared in Santa Clara Superior Court on 4/19/76 and changed his plea to guilty of seven felony counts. He additionally pleaded nolo contendere to four counts of grand theft. He is scheduled to be sentenced 6/24/76.

Call

EX-115

REC-34

62-116783-25

14 APR 22 1976

Q
 Bureau (RM)
 1-San Francisco
 RSB:kah
 (3)



269
 56 APR 28 1976
 Approved: _____
 Special Agent in Charge

Sent _____ M Per _____

U.S. Government Printing Office: 1972 - 455-574

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

APR 13 1976

TELETYPE

SF NR 894

NR 007 SF PLAIN

3:47PM NITEL APRIL 13, 1976, MJE

TO: DIRECTOR (62-116783)

SACRAMENTO (62-464)

FROM: SAN FRANCISCO (62-6943) (P)

JOSEPH JEROME DUCOTE, AKA INFORMATION CONCERNING.

b7C

RE SACRAMENTO NITEL, APRIL 13, 1976.

AUSA JOHN LOCKIE, SAN FRANCISCO, ADVISED ON APRIL 13, 1976,
THAT HE WILL FILE A MOTION FOR CONTINUANCE IN RESPONCE TO
SUBPOENA DIRECTED TO SA CONRAD SHAW, SACRAMENTO DIVISION, WHICH
WILL REQUEST DEFENSE SUBMIT AN AFFIDAVIT ELICITING TESTIMONY
DESIRED FROM SHAW.

SA SHAW MUST STILL APPEAR IN SUPERIOR COURT, APRIL 16, 1976,
IN RESPONSE TO SUBPOENA, BUT THE FILING OF MOTION BY
AUSA LOCKIE WILL STOP ANY TESTIMONY THAT DAY AND MAKE THE
DEFENSE'S QUESTIONS KNOWN.

BUREAU WILL BE KEPT ADVISED.

END

EX-104 RECD 4

62-116783-26

APR 27 1976

70 MAY 5 1976

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

b7C

NR 005 SC PLAIN

2:25 PM NITEL 4/13/76 CJG

TO DIRECTOR (62-116783)

Re SAN FRANCISCO (62-6943)

FROM SACRAMENTO (62-464)

JOSEPH JEROME DUCOTE, AKA; ET AL. INFORMATION CONCERNING.

ADD 1 4/13/76

TELETYPE

Assoc. Dir. _____
Dep.-A.D.-Adm _____
Dep.-A.E.-Inv. _____
Asst. Dir.: *✓* *✓*
Admin. *✓* *✓*
Comp. Syst. _____
Ext. Affairs _____
Files & Comp. *✓*
Gen. Inv. *✓* *✓*
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Counsel _____
Telephone Rm. _____
Director Sec'y _____

RE SAN FRANCISCO AIRTEL TO BUREAU, FEB 12, 1976.

ON APRIL 12, 1976, SA CONRAD N. SHAW, SRA, BAKERSFIELD, CALIFORNIA, RECEIVED SUBPOENA FROM SANTA CLARA COUNTY SUPERIOR COURT CALLING FOR HIS APPEARANCE AS DEFENSE WITNESS AT SUPERIOR COURT, SAN JOSE, CALIFORNIA, ON APRIL 16, 1976, AT 9:00 AM. SAN JOSE IS WITHIN SAN FRANCISCO DIVISION.

USA JAMES BROWNING, SAN FRANCISCO, DESIGNATED AUSA JOHN LOCKIE, SAN FRANCISCO, TO APPEAR WITH SA SHAW AS DIRECTED.

SA SHAW WILL APPEAR, UACB.

END.

SLR FIIHQ

TU AND CLR

REC-47 62-116783-27

EX-104

APR 27 1976

✓
57 MAY 10 1976

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

APR 23 1976
TELETYPE

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Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
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Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Local Court	_____
Telephone Rm.	_____
Director Secy	_____

P SF 177

NR 001 SF PLAIN

12:17 PM NITEL 4/23/76 MCC

TO DIRECTOR (62-116783)

SACRAMENTO (62-464)

FROM SAN FRANCISCO (62-6943)

JEROME JOSEPH DUCOTE. INFORMATION CONCERNING.

RE SF TEL CALL FBIHQ, APRIL 21, 1976.

SA'S CONRAD SHAW, BAKERSFIELD RA, AND [REDACTED]

b7C

SAN JOSE RA, HAVE BEEN SUBPOENAED TO APPEAR IN SANTA CLARA COUNTY SUPERIOR COURT, SAN JOSE, CALIF., MAY 3, 1976. SUBPOENA CALLS FOR AGENTS TO PRODUCE ALL FBI REPORTS, NOTES AND STATEMENTS

RE [REDACTED] AND OTHERS. [REDACTED] WAS ACCOMPLICE
OF DUCOTE.

REC-36

62-116783-28

EX-116 AGENTS WILL COMPLY WITH SUBPOENA AS ADVISED BY FBIHQ AND [REDACTED]
AUSA JOHN LOCKIE.

END

22 MAY 11 1976

SPX

AO - 04756 MAY 17 1976

SF 443

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 6 1976

TELETYPE

NR 037 SF PLAIN

9:50 PM NITEL 5/3/76 RRH

TO: DIRECTOR, FBI (62-116783)

SACRAMENTO (62-464)

FROM: SAN FRANCISCO (62-6943) (P)

ATTN: OFFICE OF LEGAL COUNSEL

JOSEPH JEROME DUCOTE, AKA JERRY DUCOTE, FRED SCHWARTZ;

[REDACTED] INFORMATION CONCERNING, CR.

RE SAN FRANCISCO AIRTEL, APRIL 28, 1976, AND SAN FRANCISCO TEL-
CAL TO BUREAU, MAY 3, 1976. b7C

ON APRIL 30, 1976, C. RANDALL SCHNEIDER, DEPUTY PUBLIC DEFENDER,
ADVISED THAT SUBPOENAED AGENTS ARE REQUESTED TO APPEAR AT SUPERIOR
COURT, SAN JOSE, ON MAY 5, 1976, AT 10:00 AM AND BRING WITH THEM
THE RECORDS REQUESTED IN SUBPOENA [REDACTED] EX-115 REC-83 62-116783-29

IN VIEW OF SA [REDACTED] UNAVAILABILITY, SCHNEIDER
REQUESTED THE PRESENCE OF SA [REDACTED] IN THE ALTERNATIVE AND
ADVISED HE WOULD ISSUE A SUBPOENA TO COVER SAME. THE AREA SOUGHT
FOR TESTIMONY AS ENUMERATED IN THREE-PAGE AFFIDAVIT OF C. RANDALL
SCHNEIDER DATED APRIL 12, 1976, A COPY OF WHICH WAS FORWARDED TO THE
BUREAU BY SCHNEIDER. MAY 11 1976

THE RECORDS WHICH WILL BE FURNISHED TO SCHNEIDER APPEAR AT THIS

Assoc. Dir.	_____
Dep. A.D.-Adm.	_____
Dep. A.D.-Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Secy	_____

PPD

Domestic

[REDACTED]

[REDACTED]

1A
31

LEGAL
J. DUCOTE

SF 62-6943

PAGE TWO

TIME TO BE IDENTICAL TO THE RECORDS WHICH HAVE BEEN FURNISHED TO THE DISTRICT ATTORNEY PREVIOUSLY. THE BUREAU HAS BEEN ADVISED OF THESE DISCLOSED RECORDS BY PREVIOUS COMMUNICATION.

CONTACT HAS BEEN MADE WITH THE USA'S OFFICE TO ASSURE PROPER REPRESENTATION OF SUBPOENAED AGENTS IN CONFINING THE SCOPE OF EXAMINATION TO AREA SET FORTH IN THE SUBPOENA, RELEVANCY, PRIVILEGED INFORMATION, AND OTHER AREAS OF INTEREST TO THE BUREAU.

UACB, THE ABOVE-NAMED AGENTS WILL TESTIFY, AND DOCUMENTS WILL BE PRODUCED AS SET FORTH ABOVE.

END.

15
SF NR 513
MY 6 1976
TELETYPE 11-6
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR 028 SF PLAIN

9:08PM NITEL MAY 5, 1976, MJE

TO: DIRECTOR, FBI (62-116783)

SACRAMENTO (62-464)

FROM: SAN FRANCISCO (62-6943) (P)

ATTN: OFFICE OF LEGAL COUNSEL AND CIVIL RIGHTS.

JOSEPH JEROME DUCOTE, AKA JERRY DUCOTE, FRED SCHWARTZ;

[REDACTED] INFORMATION CONCERNING, CR.

RE SAN FRANCISCO NITEL MAY 3, 1976.

ON MAY 5, 1976, AUSA RAY BIETZ ACCOMPANIED SA CONRAD SHAW OF THE BAKERSFIELD RA TO THE PRELIMINARY HEARING IN SUPERIOR COURT, SAN JOSE, CALIFORNIA. DIRECT AND CROSS EXAMINATION COVERED SA SHAW'S KNOWLEDGE REGARDING DUCOTE

AND [REDACTED] AND CIVIL RIGHTS INVESTIGATION CONDUCTED
BY BUREAU. AUSA BIETZ ADVISED THAT SA SHAW WAS AN
OUTSTANDING WITNESS.

SA [REDACTED]

WAS NOT CALLED TO TESTIFY AS

b7C

INDICATED IN REFERENCED TELETYPE.

EX-110 REC-69 62-116783-30

1 MAY 11 1976

1976

1976

5

PAGE TWO

SF 62-6943

BUREAU WILL BE KEPT ADVISED OF DEVELOPMENTS REGARDING
JUDGE'S RULING ON MOTION TO DISMISS AND POTENTIAL TRIAL
OF SCHERLING.

AIRTEL TO FOLLOW REGARDING DUCOTE'S TESTIMONY AT
PRELIMINARY HEARING.

END.

CC: *Castro*

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 13 1976 *mf*
TELETYPE

SF NR 716
NR 034 SF PLAIN

7:10 PM NITEL MAY 13, 1976, MJE

TO: DIRECTOR, FBI (62-116783)

SACRAMENTO (62-464)

FROM: SAN FRANCISCO (62-6943) (P)

ATTN: OFFICE OF LEGAL COUNSEL AND CIVIL RIGHTS.

JOSEPH JEROME DUCOTE, AKA JERRY DUCOTE, FRED SCHWARTZ;

[REDACTED] INFORMATION CONCERNING, CR.

RE SAN FRANCISCO NITEL TO DIRECTOR AND SACRAMENTO

MAY 5, 1976; BUTELCALL TO SAN FRANCISCO MAY 13, 1976.

ON MAY 10, 1976, SANTA CLARA COUNTY ASSISTANT DISTRICT ATTORNEY WILLIAM HOFFMAN APPEARED AS WITNESS IN PRETRIAL

HEARING OF [REDACTED] MOTION TO DISMISS BURGLARY INDICTMENTS AND DENIAL OF RIGHT TO SPEEDY TRIAL. NEWSPAPER ACCOUNTS OF HOFFMAN'S TESTIMONY REVEAL HE CONCLUDED BUREAU LIED TO HIM AND DELAYED REPORTS CONCERNING THIS MATTER TO HIM.

IN AN EFFORT OF COOPERATION TO RESOLVE INNUENDOES OF COMPLICITY AN AGENT ADMITTED TO SANTA CLARA COUNTY INVESTIGATORS RECEIPT OF A MAILING LIST OF THE SAN JOSE PEACE CENTER WHICH IS AN ORGANIZATION DUCOTE BURGLARIZED. THIS MAILING LIST WAS RECEIVED FROM INDEPENDENT INFORMANT HAVING NO CONNECTION WITH DUCOTE OR ASSOCIATES. THEREAFTER IN

Assoc. Dir.	<i>mf</i>
Dep.-A.D.-Adm.	<i>mf</i>
Dep.-A.D.-Inv.	<i>mf</i>
Asst. Dir.	<i>mf</i>
Adm. Serv.	<i>mf</i>
Ext. Affairs	<i>mf</i>
Fin.-& Pers.	<i>mf</i>
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Legal Coun.	<i>mf</i>
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Rec. Mgmt.	<i>mf</i>
Spec. Inv.	<i>mf</i>
Training	<i>mf</i>
Telephone Rm.	<i>mf</i>
Director Sec'y	<i>mf</i>

b7C

54 JUN 2 1976

Re: 62-116783-31

LEG D

0-83 5#433
1 62-6943

IN ADDITION TO ACCUSATIONS AGAINST THE SAN FRANCISCO OFFICE OF THE FBI THE STATE ATTORNEY GENERAL'S OFFICE HAS BEEN ASSAILED IN AN EFFORT TO IMPUTE A COVER-UP AND DELAY BY THAT OFFICE, WHEN IN FACT SANTA CLARA COUNTY DISTRICT ATTORNEY'S OFFICE RECEIVED INFORMATION FROM PUBLIC SOURCES ALMOST CONTEMPORANEOUSLY WITH THE FBI REGARDING THE BURGLARIES.

UPON LEARNING OF HOFFMAN'S REPORTED TESTIMONY AND CRITICAL NEWSPAPER ARTICLES SAC, SAN FRANCISCO, IMMEDIATELY ORDERED A ~~VERBATIM~~ TRANSCRIPT BE OBTAINED. THIS WILL BE AVAILABLE APPROXIMATELY MAY 19, 1976. SAN FRANCISCO DOES NOT INTEND TO LET THIS UNWARRANTED AND SCURRILOUS ATTACK GO UNANSWERED AND UPON RECEIPT OF TRANSCRIPTS WILL COMPARE WITH FACTS AS CONTAINED IN SAN FRANCISCO FILE AND MAKE RECOMMENDATIONS TO BUREAU FOR APPROPRIATE ACTION.

END.

W

cc Logg (con)

PAGE TWO
SF 62-6943

REPLY TO THE DISTRICT ATTORNEY'S OFFICE REQUEST FOR DOCUMENTS TAKEN IN DUCOTE'S BREAK-IN THE SAN FRANCISCO OFFICE "CATEGORICALLY DENIES RECEIPT OR POSSESSION OF THIS MATERIAL AT ANY TIME". IT IS BELIEVED THAT HOFFMAN HAS USED THIS DENIAL OF A MAILING LIST RECEIVED FROM DUCOTE AS A BASIS FOR HIS BELIEF THAT HE HAD BEEN LIED TO.

IN REGARD TO THE TIMELINESS OF THIS OFFICE'S RESPONSE TO HOFFMAN'S LETTERS OF REQUEST A REVIEW OF THE SAN FRANCISCO FILE CORRESPONDENCE REVEALS PROMPT AND PRECISE REPLIES. THE BUREAU HAS ~~APPROVED~~ APPROVED AND BEEN NOTIFIED OF RECORDS FURNISHED IN RESPONSE TO HOFFMAN'S REQUESTS.

IT IS POINTED OUT THAT ALL DURING THE DEALINGS WITH HOFFMAN HE WAS OBSESSED WITH THE NOTION THAT THE BUREAU WAS SOMEHOW BEHIND THE BURGLARIES OR A COVER-UP OF SAME.

CONTACTS WITH SANTA CLARA COUNTY LAW ENFORCEMENT OFFICERS HAS REVEALED THEIR OPINION OF HOFFMAN TO BE THAT HE IS "PARANOID, IMPETUOUS, AND EXTREMELY DIFFICULT TO GET ALONG WITH".

The following is being furnished for the use of the Director during his proposed meeting this date with Congressman Don Edwards of California.

By way of background, you were previously advised in [redacted] to [redacted] memoranda dated 12/22/75 and 1/20/76 that in 3/74, the Civil Rights Division, U. S. Department of Justice (USDJ) requested investigation of repeated break-ins of United Farm Workers (UFW) offices in California. These break-ins occurred between 1966 and 1970 and committing of same were in possible violation of Title 18, U. S. Code, Section 241, involving a conspiracy to deny UFW rights guaranteed by labor law statutes. The investigation centered around an individual identified as Joseph Jerome Ducote, known as a con man and former deputy sheriff, Santa Clara County, California. The investigation further identified an accomplice, [redacted].

Upon completion of our investigation, the USDJ advised that no Federal violation existed and that the information developed should be made available to appropriate local authorities. The Department's instructions were fully complied with.

b7C

Ducote and [redacted] were recently charged by local authorities, Santa Clara County, with 14 counts of grand theft and possession and concealing stolen property. Ducote and [redacted] have alluded to the fact that they were dealing with a security agency and it has been concluded by others that it must be the FBI.

Comprehensive memoranda and affidavits submitted by both the San Francisco and Sacramento Divisions regarding this matter specifically deny that Ducote or his associates provided any stolen documents to Special Agents of the FBI or were ever operated as sources, informants, or at the direction of the FBI.

Attached San Francisco teletype advises that on 5/10/76, Santa Clara County Assistant District Attorney William Hoffman appeared as witness in pretrial hearing of [redacted] motion to dismiss burglary indictments and denial of right to speedy trial. News-paper accounts of Hoffman's testimony revealed he concluded FBI lied to him and delayed reports to him concerning this matter.

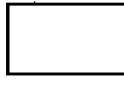
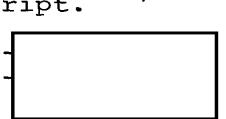
In an effort of cooperation to resolve innuendoes of complicity by FBI, a San Francisco Special Agent admitted to Santa Clara County investigators' receipt of a mailing list of San Jose Peace Center which is an organization Ducote burglarized. This mailing list received from independent informant having no connection with Ducote or associates. Thereafter, in reply to District Attorney's Office request for documents taken in Ducote's break-in, the San Francisco Office (SFO) "categorically denies receipt or possession of this material at any time." It is believed Hoffman used this denial of mailing list received from Ducote as basis for his belief he had been lied to. Regarding the timeliness of SFO's response to Hoffman's letter of request, a review of correspondence reveals prompt and precise replies.

Contacts with Santa Clara County law enforcement officers have revealed their opinion of Hoffman to be that he is "paranoid, impetuous, and extremely difficult to get along with." In addition to accusations against SFO, the State Attorney General's Office has been assailed in effort to impute a cover-up and delay by that office when, in fact, Santa Clara County District Attorney's Office received information from public sources contemporaneously with the FBI regarding burglaries.

SAC, SFO has ordered a verbatim transcript be obtained regarding Hoffman's testimony. This will be available approximately 5/19/76. SFO does not intend to let this unwarranted and scurrilous attack go unanswered. SFO will make recommendations upon review of transcript.

1 - Mr. Callahan 1 - [redacted]
1 - Mr. Adams 1 - [redacted]
1 - [redacted] TTN:
1 - [redacted]
1 - [redacted]

JCC/JSC/erg/brb
#



ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-07-2007 BY 60324 AUC BAU/CPB/RYS

APPROVED: [Signature] Ext. Affairs..... Laboratory.....
Assoc. Dir. [Signature] Fin. & Pers..... Legal Coun.....
Dep. AD Adm..... Gen. Inv. [Signature] Plan. & Eval.....
Dep. AD Inv. [Signature] Ident..... Rec. Mgmt.....
Asst. Dir. [Signature] Inspection..... Spec. Inv.....
Adm. Serv. [Signature] Intell..... Training.....

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 18 1976

TELETYPE

SF NR 858

NR 030 SF PLAIN

8:15 PM URGENT MAY 18, 1976, MJE

TO: DIRECTOR, FBI (62-116783)

SACRAMENTO (62-464)

FROM: SAN FRANCISCO (62-6943) (P)

ATTN: OFFICE OF LEGAL COUNSEL AND CIVIL RIGHTS.

JOSEPH JEROME DUCOTE, AKA: [REDACTED]

INFORMATION CONCERNING, CR.

RE SAN FRANCISCO NITEL TO DIRECTOR AND SACRAMENTO

MAY 13, 1976.

ON MAY 18, 1976, RANDY SCHNIEDER, DEPUTY PUBLIC DEFENDER, SANTA CLARA COUNTY, ADVISED THAT ASSISTANT DISTRICT ATTORNEY DENNIS LEMPERT, SANTA CLARA COUNTY, TESTIFIED TODAY THAT HE NEVER TALKED TO AN AGENT OF THE FBI ON APRIL 10, 1974, AND DENIED MAKING STATEMENTS ATTRIBUTED TO HIM BY SA [REDACTED] ON PAGE 33 OF REPORT OF SA CONRAD SHAW DATED APRIL 19, 1974, AT SACRAMENTO CAPTIONED "JEROME JOSEPH DUCOTE, JERRY COHEN, UFW - VICTIM; CR".

7 MAY 26 1976

SCHNIEDER PLANS TO SUBPOENA SA [REDACTED] FOR [REDACTED] APPEARANCE SANTA CLARA COUNTY SUPREME COURT PRETRIAL HEARING 10:00 A.M. MAY 19, 1976.

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.	_____
Adm. Serv.	_____
Ext. Aff. Dir.	_____
Fin. & Mkt.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Legal C. un.	_____
Plan. & Eval.	_____
Rec. Mgmt.	_____
Spec. Inv.	_____
Training	_____
Teleph. Rm.	_____
Div. Sec'y	_____

b7C

1-4460006-472
57 JUN 4 1976

PAGE TWO

SF 62-6943

SCHNIEDER SAYS HE IS GOING TO PRESS FBI FOR IDENTITY OF SA WHO NOTIFIED SANTA CLARA COUNTY LAW ENFORCEMENT IN 1974 OF THE POLITICAL BURGLARIES. THE BUREAU INDICATED THAT THE DEPARTMENT REQUESTED THAT INFORMATION RELATIVE TO THE DUCOTE INVESTIGATION NOT BE DISSEMINATED TO LOCAL AUTHORITIES UNTIL PROSECUTIVE ACTION WAS CONSIDERED BY DEPARTMENTAL ATTORNEYS. LATER THE BUREAU INSTRUCTED SACRAMENTO TO NOTIFY LOCAL AUTHORITIES, HOWEVER, APPARENTLY THROUGH INADVERTANCE SAN FRANCISCO DIVISION RECEIVED NO COPY OF THIS COMMUNICATION AND DID NOT NOTIFY LOCAL AUTHORITIES.

IT IS RECOMMENDED SA [REDACTED] TESTIFY TO THESE FACTS ON MAY 19, 1976.

SCHNIEDER WILL QUESTION SA [REDACTED] AS TO WHEN HE HEARD RUMORS OF DUCOTE'S PARTICIPATION IN POLITICAL BURGLARIES AND WHERE HE OBTAINED A MAILING LIST OF THE SAN JOSE PEACE CENTER. HE WILL QUESTION SA [REDACTED] CONCERNING ALL CONTACTS WITH DUCOTE, AND [REDACTED] WILL REFUTE DUCOTE'S ALLEGATION OF BUREAU'S COMPLICITY AND WILL DENY RECEIPT OF ANY DOCUMENTS ALLEGEDLY STOLEN BY DUCOTE.

*Not
Ducote
O: SC in
B7C
44-6006
SF advised
accordingly
JL*

PAGE THREE

SF 62-6943

UACB SA [REDACTED] WILL TESTIFY AS TO THE INTERVIEW OF
ASSISTANT DISTRICT ATTORNEY LEMPERT ON APRIL 10, 1974,
AND THE REASON SANTA CLARA COUNTY LOCAL LAW ENFORCEMENT
AUTHORITIES WERE NOT NOTIFIED OF THE POLITICAL BURGLARIES.

SA [REDACTED] WILL TESTIFY CONCERNING HIS PERSONAL KNOWLEDGE
OF THE CASE. BUREAU INTEREST WILL BE PROTECTED BY PRESENCE
OF AUSA RAY BIETZ.

18Rpa
b7C

18Rpa.

END.

W-0711.010

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (62-116783) DATE: 5/27/76
(ATTN: OFFICE OF LEGAL COUNSEL AND CIVIL RIGHTS)

FROM : SAC, SAN FRANCISCO (62-6943) (P)

SUBJECT: JOSEPH JEROME DUCOTE, aka
Jerry Ducote,
Fred Schwartz
[redacted]

INFO CONCERNING
CIVIL RIGHTS

Re San Francisco nitel 5/13/76 advising that a verbatim transcript of Santa Clara County Assistant District Attorney WILLIAM HOFFMAN's testimony on 5/10/76 would be obtained from Santa Clara County Superior Court.

A review of the transcripts indicates that HOFFMAN inferred in his testimony during a pretrial hearing that SAC CHARLES W. BATES lied to him but he did not make that statement as set out in San Jose newspaper dated 5/11/76. A pertinent part of the testimony is set out, "Question: Now, when Mr. MC COLLUM talked to Agent SAMPLE, Agent SAMPLE indicated to Mr. MC COLLUM that he had received several years ago, approximately 1967, presumably a mailing list for the San Jose Peace Center. Did Mr. MC COLLUM relate that information to you? Answer: That's right. Question: That he had received this information through an informant? Answer: Well, to go back so I can answer your question, Attorney General ERIC COLLINS had written the FBI before we ever got in the matter about the time we got in it anyway before I started doing anything and asked for a specific number of statements and any documents of the type taken in any of the burglaries from the FBI. They wrote back, gave us a synopsis, not any of the statements, which I got a copy of, and about the same time I got a letter from Mr. BATES which 'incidentally, I don't think any of those letters came to me. He writes the boss, I write him and he writes the boss, and the boss gives me the letters. But he said he had none of the documents' at any time taken in any of the burglaries. I knew that

② - Bureau (Enc. 1) (RM)

1 - Sacramento (62-464) (RM)

2 - San Francisco

MES:1mk

(4)

62-116783-33
REC-93 62-116783-33

Pers. Rec. Unit

b7C



JUN 16 1976 Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

5010-109

SF 62-6943

MES:1mk

he did have some, so then I wrote him back and told him that I knew he had some of the documents. And then he said that somebody else stole them for him. The Court: Somebody else what? The Witness: Somebody else stole them for him. They had an informer or somebody that stole them for him. Those were the only from the Peace Center in San Jose. Those are the only ones that we happen to know he had and he didn't happen to know we knew he had."

b7C

During an interview by DA Investigator MC COLLUM and State Investigator JOHN LILLY on 12/1/75, SA [redacted] in an effort of cooperation to resolve innuendoes of complicity advised the Investigators that the FBI had a mailing list of the San Jose Peace Center from another source and would have had no occasion to accept one from JERRY DUCOTE known to the FBI as an unreliable individual. The San Francisco office later wrote to the District Attorney's office and categorically denied receipt or possession of any material taken in burglaries conducted by DUCOTE.

SA SAMPLE testified at the pretrial hearing on 5/19/76 and the Court record now contains the true facts concerning the Peace Center mailing list in the possession of the FBI. It is to be noted that HOFFMAN and his staff have been obsessed with the notion that the Bureau directed DUCOTE's burglaries.

On 12/5/75 a meeting was held at San Francisco including USA JAMES L. BROWNING, Jr., Deputy Attorney General ERIC COLLINS, and SAC CHARLES W. BATES. At this meeting COLLINS said that he would like to have certain information from FBI files and that he would direct a letter to this office setting out a formal request. The letter from COLLINS dated 12/10/75 was received by the San Francisco FBI office on 12/17/75 inasmuch as it was directed to USA BROWNING and was eventually forwarded to the San Francisco FBI office.

SF 62-6943

MES:lmk

By letter dated 1/2/76 a detailed letterhead memorandum was furnished Deputy Attorney General ERIC COLLINS and Santa Clara County District Attorney LOUIS BERGNA. This memorandum contained all pertinent information in the files of the San Francisco and Sacramento Divisions. Deputy Attorney General ERIC COLLINS then requested original serials setting out the information referred to in the LHM and upon approval by the Department of Justice all these serials were furnished COLLINS and BERGNA by letter dated 1/29/76. It is to be noted that the first letter forwarded by Assistant District Attorney HOFFMAN to SAC BATES was dated 1/2/76. On 12/30/75, DOUGLAS LOGAN, Chief Investigator, Santa Clara County District Attorney's Office, telephonically contacted Bureau officials in Washington and complained that SAC BATES was not cooperating, would not furnish requested materials, and would not return telephone calls or answer letters which is all false. During the course of this investigation Assistant DA HOFFMAN has written letters of a threatening type asking for certain statements and documents that do not exist.

For the information of the Bureau, the pretrial hearing relative to Defendant [redacted] has been completed and the Judge's decision to dismiss the charges requested in the motion made by the Defense Attorney is being awaited. The Bureau will be kept advised.

b7C

A copy of the transcript of Assistant District Attorney WILLIAM P. HOFFMAN's testimony on 5/10/76 is enclosed for the Bureau's information.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SFNR 882

MAY 1 1976 *TMA*

NR 018 SF PLAIN

TELETYPE

5:21 PM NITEL 5/19/76 RRH

TO: DIRECTOR, FBI (62-116783)

b7C

SACRAMENTO (62-464)

FROM: SAN FRANCISCO (62-6943) (P)

ATTN: OFFICE OF LEGAL COUNSEL AND CIVIL RIGHTS.

JOSEPH JEROME DUCOTE, AKA [REDACTED]

INFORMATION

CONCERNING, CR.

RE SAN FRANCISCO TEL MAY 18, 1976.

SA DONALD K. BERRY TESTIFIED MAY 19, 1976, IN SANTA CLARA COUNTY SUPERIOR COURT PRETRIAL HEARING FOR DEFENDANT SCHERLING. THE ISSUE OF NOTIFYING LOCAL LAW ENFORCEMENT IN SANTA CLARA COUNTY IN APRIL, 1974, WAS NOT RAISED DURING THE TESTIMONY.

SA MALCOLM E. SAMPLE TESTIFIED MAY 19, 1976, THAT HE RECEIVED A MAILING LIST OF THE SAN JOSE PEACE CENTER FROM A SOURCE TOTALLY UNRELATED TO DUCOTE OR HIS ASSOCIATES. THE MAILING LIST OR SOURCE WAS NOT FURTHER PURSUED BY EITHER COUNSEL.

AUSA RAY BIETZ, WHO WAS PRESENT, ADVISED THAT THE BUREAU'S INTEREST WAS PROTECTED AND "MANY ISSUES WERE CLEARED UP".

END.

Assoc. Dir.	.....
Dep.-A.D.-Adm.	.....
Dep.-A D.-Inv.	.....
Asst. Dir.:	
Adm. Serv.	.....
Ext. Affairs	.....
Fin. & Pers.	.....
Gen. Inv.	.....
Ident.	.....
Inspection	.....
Intell.	.....
Laboratory	.....
Legal Coun.	.....
Plan. & Eval.	.....
Rec. Mgmt.	.....
Spec. Inv.	.....
Training	.....
Telephone Rm.	.....
Di. Sec'y	.....

51 JUN 1C 1976

REC'D 62-116783-344
MAY 25 1976

44-6001-2
RECORDED COPY

F B I

15

Date: 4/28/76

Transmit the following in _____
(Type in plaintext or code)Via AIRTELAIR MAIL

(Precedence)

BK

TO: DIRECTOR, FBI (62-116783)

FROM: *B* SAC, SAN FRANCISCO (62-6943) (P)

SUBJECT: JOSEPH JEROME *P* DUCOTE, aka
Jerry Ducote,
Fred Schwartz;

Log 6943-35

D
INFORMATION CONCERNING
CR

16

Re San Francisco nitel to Bureau and Sacramento,
4/23/76, and San Francisco telcal to FBIHQ, 4/27/76, and San
Francisco telcal to Bakersfield RA, 4/27/76.

Contact with C. RANDALL SCHNEIDER, Deputy Public
Defender, Santa Clara County, on 4/27/76, has revealed that
the 5/3/76 appearance date is tentative. SCHNEIDER advised
that the appearance by the subpoenaed FBI Agents in Superior
Court at San Jose, California, is in connection with his pre-
trial motion to dismiss the local burglary indictments against
[redacted] on the grounds that [redacted] has been denied
his right to a speedy trial. SCHNEIDER has stated that he will
seek to establish that the burglaries which [redacted] is alleged
to have committed, occurred in 1967 and 1968 and that law
enforcement had information that [redacted] had committed these
burglaries during that time.

b7C

SCHNEIDER continued that, as an example of this
defense, he will rely upon the arrest and processing of
[redacted] at Delano, California, for the 5/30/67 breakin of
the United Farmworkers-Filipino Community Center. SCHNEIDER
stated that the police department traced the license of an

REC-35

62-116783-35

(3) - Bureau (RM)
2 - Sacramento (62-464) (RM)
2 - San Francisco
TJAH:sac
(7)

938

3 APR 30 1976

Approved: *SP* Sent: _____ Per: _____
Special Agent in Charge

51 JUN 21 1976

PERS. REC. UNIT

TJAH:sac

automobile to [REDACTED], and thereafter, [REDACTED] came to Delano and was fingerprinted, photographed and booked for the burglary. Thereafter, a statement was made by a [REDACTED] to an [REDACTED] [REDACTED] of the Delano Police Department that [REDACTED] was committing the burglary on behalf of the FBI. As a result of this, SCHNEIDER believes Chief of Police JAMES AILES caused the burglary charges to be dropped. SCHNEIDER is working under the belief that Chief of Police AILES is personally friendly with SA CONRAD SHAW of the Bakersfield RA, and SHAW may have confirmed to AILES that [REDACTED] was participating in a burglary for the FBI.

SCHNEIDER will attempt then to attribute the four burglaries in Santa Clara County that were of a political nature to the FBI. SCHNEIDER was advised that any such conclusion is unsupported by fact and is, therefore, untrue.

SCHNEIDER further stated that an attempt may be made to connect [REDACTED] and DUCOTE to SAs of the FBI and cited a CII investigative report of CII Agent LILLY under their case number 750119, page 8, of a 13 page report, wherein, on 12/1/75, SA [REDACTED] [REDACTED] is referred to as having received a mailing list from one of the Peace Centers which was burglarized. This report establishes that the mailing list was received from a confidential informant, but SCHNEIDER was interested in pursuing whether the informant was either DUCOTE, [REDACTED] or one of their intermediaries. Again, Mr. SCHNEIDER was assured that the FBI had no contact with any of the aforementioned individuals or their intermediaries and that line of defense was also unfounded. SCHNEIDER wanted to pursue the question of whether [REDACTED] had heard rumors that there were burglaries by DUCOTE and [REDACTED] and what he did about it, and furthermore, what did SA CONRAD SHAW do to report burglaries that had come to his attention to the proper authorities, particularly the Delano Police Department.

SCHNEIDER advised that he has attempted to plead [REDACTED] guilty to lesser counts or offenses, but Deputy District Attorney HOFFMAN has refused to plea bargain and is going after [REDACTED] "with a hatchet". SCHNEIDER advised, also, that he expects DUCOTE to be a cooperative witness against [REDACTED] at the trial, and he described DUCOTE as a person who attempts to develop friendships with people by "buying them drinks or developing a rapport with them and later imposing on them for favors". SCHNEIDER also believed that it appears that the defendants (DUCOTE and [REDACTED]) are using the FBI as a coverup for their activities. This was evident by the use of

SF 62-6943

TJAH:sac

b7C

the Catholic Church by these men as one of the stories put out to justify the activities or gain sympathy from public officials.

SCHNEIDER advised that his client [redacted] left the State of California in 1969 to live in the State of Idaho and had remained there until the current burglary charges were instituted. He will attempt to argue that, even though the Statute of Limitations for the crime of burglary was tolled by [redacted] departure from the state, he will attempt to have the Statute interpreted that [redacted] was not in a flight status and was, at all times, available to law enforcement.

SCHNEIDER stated that he wished to advise the Bureau that DUCOTE has given indications that he will attempt to implicate the FBI into the burglaries by stating that he dealt with a LARRY COTT (phonetic) of the Western Research Company in San Francisco. He advised that there is the belief that this company was an FBI or CIA front. SCHNEIDER was advised that, besides being untrue, that type of assertion is irrelevant and certainly DUCOTE could not state he was working under the Western Research direction.

SCHNEIDER also stated that he had been told that there is an ex-FBI Agent named [redacted] who worked for Ramparts Magazine and had made statements that, while he, [redacted] was an FBI Agent, he committed burglaries of a political nature and that it was his, [redacted] understanding that, after he left the FBI, it was the practice of the Bureau to have "informants" commit burglaries for them.

SCHNEIDER did not know which judge would hear the pre-trial motion to dismiss at the time of contact and stated that the assignment would be made by Friday, 4/30/76, by Judge BRUCE ALLEN. He was told that this office and the Sacramento Office would need at least 24 hours' notice in order to comply with the appearance of the Agents and records in this matter.

The Bureau and Sacramento Division will be kept advised of the developments in this matter.

ENCLOSURE

62-116783-3P

Airtel

6/28/76

To: SAC, San Francisco (62-6943)

From: Director, FBI (62-116783)

JOSEPH JEROME DUCOTE, AKA
JERRY DUCOTE,
FRED SCHWARTZ

INFORMATION CONCERNING
CR

1 -
3

9 *ms*
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Reurlet dated 5/27/76.

Advise status of local prosecution re subject

JSG:nlc
(4) *nlc*

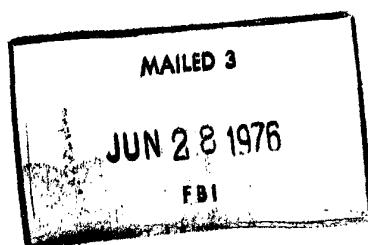
EX-10

REC-45

62-116783-37

5 JUN 29 1976

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
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Legal Coun. _____
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Rec. Mgmt. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____



1976 MAIL ROOM TELETYPE UNIT

F B I

Date: 7/1/76

Transmit the following in _____
(Type in plaintext or code)Via **AIRTEL****AIR MAIL**

(Priority)

TO: DIRECTOR, FBI (62-116783)

FROM: *Cliff* SAC, SAN FRANCISCO (62-6943)

SUBJECT: JOSEPH JEROME DUCOTE, aka
JERRY DUCOTE,
FRED SCHWARTZ

[REDACTED]
INFORMATION CONCERNING
CR

Re Buairtel, 6/28/76.

b7C

The 6/30/76 issue of the "San Jose News" indicated that JERRY DUCOTE was ordered sent to Vacaville for a 90 day diagnostic evaluation before final sentencing by Superior Court Judge JAMES DUVARAS, JR. on 6/30/76.

The news article indicated that "immediately after the brief session SALCICIA, DUCOTE's attorney, and DUCOTE disappeared into the chambers of Judge JOSEPH P. KELLY who has under submission a pre-trial attempt by DUCOTE's sidekick, [REDACTED] to have charges against him dismissed."

The Bureau will be kept advised.

EX-112

REC-35

62-116783-38

5 JUL 3 1976

Bureau (RM)
1-San Francisco
MES:kah
(3)

58 JUL 16 1976

Approved: _____ Sent: _____ M Per: _____
Special Agent in Charge

Airtel

8/17/76

To: SAC, San Francisco (62-6943)

From: Director, FBI (62-116783)

1 -

Slid
JOSEPH JEROME ~~DUCOTE~~, AKA
JERRY DUCOTE,
FRED SCHWARTZ

b7C

INFORMATION CONCERNING
CR

Reurairtel dated 7/1/76.

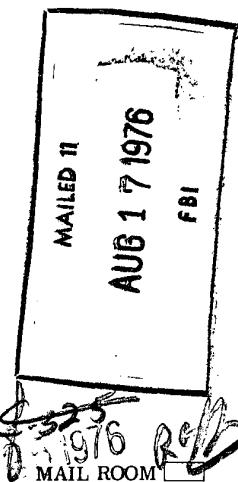
Advise status re local prosecution of subject,

JAG:nlc
(4)

REC-19 62-116783-39

21 AUG 18 1976

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
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Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec. _____



TELETYPE UNIT

F B I

Date: 8/27/76 1

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (62-116783)

FROM: Cub JS SAC, SAN FRANCISCO (62-6943)(P)

SUBJECT: JOSEPH JEROME DUCOTE, aka
Jerry Ducote,
Fred Schwartz:

[REDACTED]
INFORMATION CONCERNING
CR

b7C

Re Bureau airtel, 8/17/76 inquiring as to status
of local prosecution of subject [REDACTED]

On 8/25/76, Superior Court Judge JOSEPH KELLY,
Santa Clara County, ruled that local authorities moved as
fast as possible in prosecuting the case and at no time
were "tainted" by the action of other agencies. The motion
to dismiss was denied. [REDACTED] was ordered to stand
trial on four counts of burglary of local left-wing political
figures and organizations.

On 8/26/76, a pre-trial date of 10/8/76 was set,
and the trial date was set for 10/18/76.

Bureau will be kept advised.

(2) - Bureau
2 - San Francisco
MES/sjp
(4)

REC-9

62-116783-40

24 SEP 1 1976

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

UNITED STATES GOVERNMENT

Memorandum

*file
copy*

TO : Assistant Attorney General
CIVIL RIGHTS DIVISION

DATE: **9/1/76**

FROM : Director, FBI

SUBJECT: **JOSEPH JEROME DUCOTE, AKA
JERRY DUCOTE,
FRED SCHWARTZ;**

b7C

INFORMATION CONCERNING CIVIL RIGHTS

Reference is made to _____ memorandum dated _____
(your file _____).

There is enclosed one copy of the report of Special Agent **See Note**
dated _____ at _____.

A. This covers the preliminary investigation and no further action concerning a full investigation will be taken by this Bureau unless the Department so directs.

B. The investigation is continuing and you will be furnished copies of reports as they are received.

C. The investigation requested by you has now been completed. Unless advised to the contrary no further inquiries will be made by this Bureau.

D. Pursuant to instructions issued by the Department, no investigation will be conducted in this matter unless specifically directed by the Department.

E. Please advise whether you desire any further investigation.

F. This is submitted for your information and you will be advised of further developments.

G. This is submitted for your information and no further investigation will be conducted unless specifically requested by the Department.

H. This covers the receipt of a complaint and no further action will be taken by this Bureau unless the Department so directs.

Enc.

NOTE: On 8/25/76, Superior Court Judge JOSEPH KELLY, Santa Clara County, ruled that local authorities moved as fast as possible in prosecuting the case and at no time were "tainted"

(Continued)


FBI/DOJ

Assistant Attorney General
Civil Rights Division

b7C

by the action of other agencies. The motion to dismiss was denied. [redacted] was ordered to stand trial on four counts of burglary of local left-wing political figures and organizations.

On 8/26/76, a pre-trial date of 10/8/76 was set, and the trial date was set for 10/18/76.

F B I

Date: 9/23/76

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI

FROM: ~~SAC~~ SAC, SAN FRANCISCO (62-6943)(P)

SUBJECT: JOSEPH JEROME DUCOTE, aka
Jerry Ducote,
Fred Schwartz:

INFORMATION CONCERNING

On 9/16/76, Santa Clara County Superior Court Judge JAMES DUVARES, Jr. sentenced DUCOTE to pay a \$3000 fine, five years probation, and one year jail sentence suspended. DUCOTE was ordered to make \$20,000 restitution to friends he had bilked in a bad loan scheme. DUCOTE had faced a maximum of 70 years in state prison on 7 felony counts.

The 9/17/76 issue of the "San Francisco Chronicle" indicated that DUCOTE has accepted a \$20,000 advance from Simon and Schuster to write a book about his exploits as a "misguided patriot" collaborating with WARREN HINCKLE, former editor of Rampart's Magazine, San Francisco. It was further indicated that DUCOTE plans to hit the lecture circuit as he has had numerous offers.

b7C

_____ is scheduled to go to trial, Santa Clara County Superior Court 10/18/76. The Bureau will be kept advised.

REC'D

62-11676-41

2 Bureau
2 - San Francisco
MES/pab
(4)

070 E to CRD
9/28/76
JSG/jet
see file copy

Approved: 1976 Sent _____ M Per _____
5 40016 1976 Special Agent in Charge
154

UNITED STATES GOVERNMENT

Memorandum

*File
Copy*

TO : Assistant Attorney General
CIVIL RIGHTS DIVISION

DATE: **9/28/76**

FROM : Director, FBI

b7C

SUBJECT: **JOSEPH JEROME DUCOTE, AKA
JERRY DUCOTE,
FRED SCHWARTZ:**
[redacted]

INFORMATION CONCERNING CIVIL RIGHTS

Reference is made to my memorandum dated 9/1/76
(your file _____).

There is enclosed one copy of the report of Special Agent _____
dated _____ at _____.

- A. This covers the preliminary investigation and no further action concerning a full investigation will be taken by this Bureau unless the Department so directs.
- B. The investigation is continuing and you will be furnished copies of reports as they are received.
- C. The investigation requested by you has now been completed. Unless advised to the contrary no further inquiries will be made by this Bureau.
- D. Pursuant to instructions issued by the Department, no investigation will be conducted in this matter unless specifically directed by the Department.
- E. Please advise whether you desire any further investigation.
- F. This is submitted for your information and you will be advised of further developments.
- G. This is submitted for your information and no further investigation will be conducted unless specifically requested by the Department.
- H. This covers the receipt of a complaint and no further action will be taken by this Bureau unless the Department so directs.

Enc.

NOTE: See next page.


FBI/DOJ

Assistant Attorney General
Civil Rights Division

NOTE: On 9/16/76, Santa Clara County Superior Court Judge JAMES DUVARES, Jr. sentenced DUCOTE to pay a \$3000 fine, five years probation, and one year jail sentence suspended. DUCOTE was ordered to make \$20,000 restitution to friends he had bilked in a bad loan scheme. DUCOTE had faced a maximum of 70 years in state prison on 7 felony counts.

The 9/17/76 issue of the "San Francisco Chronicle" indicated that DUCOTE has accepted a \$20,000 advance from Simon and Schuster to write a book about his exploits as a "misguided patriot" collaborating with WARREN HINCKLE, former editor of Rampart's Magazine, San Francisco. It was further indicated that DUCOTE plans to hit the lecture circuit as he has had numerous offers.

b7C

[redacted] is scheduled to go to trial, Santa Clara County Superior Court 10/18/76. The Department will be kept advised.

Please advise if further monitoring desired.



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

JAN 16 1976

FEDERAL GOVERNMENT

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: Letter from Chairman Don Edwards Concerning FBI Contact
with a Jerome Joseph Ducote

Attached is a letter dated January 8, 1976, from
Congressman Don Edwards, Chairman of the Subcommittee
on Civil and Constitutional Rights. Please arrange for
an appropriate response.

ORIGINAL FILED IN 62-116435-106X

cc: Paul Daly

62-116783-

~~NOT RECORDED~~

46 NOV 19 1976

24 NOV 16 1976

2 ENCL/2
2 ENCL/2

Ack let to

4 G eno.
letter head 11/16/76

3-12-76
Doc:clh

Ack letterhead to

Edward's Committee

3-19-76
Doc:clh



PETER W. RODINO, JR. (N.J.), CHAIRMAN
 JACK BROOKS, TEX.
 ROBERT W. KASTENMEIER, WIS.
 DON EDWARDS, CALIF.
 WILLIAM L. HUNGRIDGE, MO.
 JOHN COYERS, JR., MICH.
 JOSHUA EILBERG, PA.
 WALTER FLOWERS, ALA.
 JAMES R. MANN, S.C.
 PAUL S. SARBANES, MD.
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 ROBERT F. DRINAN, MASS.
 BARBARA JORDAN, TEX.
 RAY THORNTON, ARK.
 ELIZABETH HOLTZMAN, N.Y.
 EDWARD MEZVINSKY, IOWA
 HERMAN BADILLO, N.Y.
 ROMANO L. MAZZOLI, KY.
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 WILLIAM J. HUGHES, N.J.
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EDWARD K. BROWN, MICH.
 ROBERT D. BORY, ILL.
 TOM RAY BROWN, ILL.
 CHARLES J. WIGGINS, CALIF.
 HAMILTON FISH, JR., N.Y.
 M. CALDWELL BUTLER, VA.
 WILLIAM S. COHEN, MAINE
 CARLOS J. MOORHEAD, CALIF.
 JOHN M. ASHBROOK, OHIO
 HENRY J. HYDE, ILL.
 THOMAS N. KINNESS, OHIO

Congress of the United States
 Committee on the Judiciary

House of Representatives
 Washington, D.C. 20515

Telephone: 202-225-3951

January 8, 1976

GENERAL COUNSEL:
 EARL C. DUDLEY, JR.
 STAFF DIRECTOR:
 GARNER J. CLINE
 COUNSEL:
 HERBERT FUCHS
 WILLIAM P. SHATTUCK
 ALAN A. PARKER
 JAMES F. FALCO
 MAURICE A. BARBOZA
 ARTHUR P. ENDRES, JR.
 THOMAS W. HUTCHISON
 DANIEL L. COHEN
 FRANKLIN G. POLK
 THOMAS E. MOONEY
 MICHAEL W. BLOMMER
 ALEXANDER B. COOK
 CONSTANTINE J. GEKAS
 ALAN F. COFFEY, JR.
 KENNETH N. KLEE

Mr. Michael Uhlmann
 Assistant Attorney General
 Office of Legislative Affairs
 Department of Justice
 Washington, D.C. 20530

Dear Mr. Uhlmann:

A criminal case presently pending in Santa Clara County, California has raised some questions concerning the practices and procedures of the Federal Bureau of Investigation.

I am enclosing several newspaper clippings which recount the substance of the stories and allegations, so I will not repeat a recitation of the facts.

While it is our firm policy never to interfere with a pending criminal prosecution, and we have no intention of doing so here or of having the Department of Justice or FBI do so, there are several aspects of this matter which raise larger questions as to various practices in the operations of the Bureau.

In order to fully discharge our legislative and oversight responsibilities with respect to the FBI, I am enclosing a list of questions to which we would appreciate a full and complete response by the FBI as soon as possible.

Thank you for your cooperation.

OFFICE OF LEGISLATIVE AFFAIRS
 FED. BU. OF INV.

Sincerely,

Don Edwards

Don Edwards
 Chairman
 Subcommittee on Civil
 and Constitutional Rights

DEPT. OF JUSTICE

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OFFICE OF LEGISLATIVE AFFAIRS		RECEIVED

FED. BU. OF INV.

DE:bs
 Enclosure

62-166783
 ENCLOSURE

1. Jerome Joseph Ducote of San Jose, California is alleged to have had extensive contact with the FBI either as source of information to the FBI or as a subject of FBI inquiry. We would like the details of that contact with an indication of any Federal, state or local agencies to which this information was referred for their information or for possible prosecution.
2. One Jerry Boyce, who to date has not publically been identified and who we have agreed not to identify without his permission, has made other allegations. He alleges contact with the FBI at least in September, 1973 in Los Angeles and January, 1974 in San Jose. The subject of the contact was his advising the FBI of some of the activities of Ducote and Ducote's associates. He indicated he was generally rebuffed by FBI personnel. We would like the detail of the contact and the nature and reasons for the FBI's handling of both Boyce and his information.
3. Was or is R. Ken Wilhelm of Santa Clara County, California, an employee of the FBI or a regular or irregular source of information for the FBI. Describe the nature of Wilhem's contacts with the FBI to date.
→
4. Please describe the relationship of the FBI with an organization known as "Western Research" on Market Street in San Francisco. The successor company is alleged to be "Research West." Please describe the FBI relationship with this latter organization.
5. Please describe FBI policy with respect to unsolicited information. More specifically, what, if any, procedures are taken to determine if the information offered was obtained by lawful means. If such measures are taken, what verification steps are taken.
6. If informants are directly asked to provide specific information, what, if any, guidance is given with respect to methods of collection, and what verification of legality of collection practices is made?

ENCLOSURE

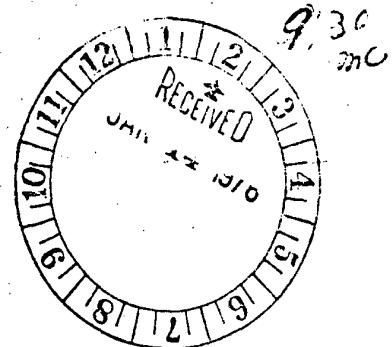
ENCLOSURE

62-116783-

7.

Does the FBI maintain any working arrangements, whether formal or informal, with private companies which are investigative, purport to provide security services, including background investigations, or otherwise do research about individuals or organizations. If so, does the FBI provide any information from its files to these organizations? Please differentiate between information in open files and closed file information which is used for research or other noninvestigative purposes. Are all of such relationships with private companies a matter of record and reviewed by FBI headquarters?

-2-



The Attorney General

Director, FBI

FEDERAL GOVERNMENT

1 - Mr. Adams (Encs.)
1 - Mr. Leavitt (Encs.)
1 - Mr. Gallagher (Encs.)

March 15, 1976

1 - [REDACTED] (Encs.)
1 - [REDACTED] (Encs.)
1 - [REDACTED] (Encs.)

SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL
RIGHTS OF THE HOUSE COMMITTEE ON THE
JUDICIARY

b7C

Reference is made to the request of the Committee
dated January 3, 1976, concerning FBI contact with Jerome Joseph
Ducote.

Enclosed for your approval is a copy of a memorandum
responsive to the Committee inquiry, which is being furnished
for your records. This response was prepared
following consultation with Steven K. Blackhurst, Assistant
Special Counsel for Intelligence Coordination, Thomas Breen,
Committee Staff Member, and Special Agent [REDACTED] of this
Bureau on February 17, 1976. The Committee will be given
access to this memorandum upon your approval.

Enclosed for your approval and forwarding to the
Committee is a memorandum advising the Committee of the avail-
ability of the above-mentioned memorandum for review by
Committee staff personnel at FBI Headquarters. A copy of this
memorandum is being furnished for your records.

Mr. Ducote is currently awaiting trial in California
on burglary charges. The Committee has advised that they do
not desire access to this material until the conclusion of the
trial of Mr. Ducote.

Subsequent to your approval the memorandum, responsive
to the Committee inquiry, will be made available for review by
appropriate Committee personnel at FBI Headquarters.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Admin. _____
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Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Meeting Rm. _____

Enclosures (3)

24 NOV 16 1976

1 The Deputy Attorney General - Enclosures (2)
Attention: Michael E. Shaheen
Special Counsel for
Intelligence Coordination

62-116783-
NOT RECORDED

46 NOV 19 1976

ENCLOSURE
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SEE NOTE ON PAGE 2.

56 NOV 24 1976

TELETYPE UNIT

GPO : 1975 O - 669

The Attorney General

Note: This response was coordinated with representatives of the Intelligence, General Investigative, and Special Investigative Divisions. Ducote is currently in local custody awaiting trial on local charges in the State of California. Ducote has made allegations that he performed political burglaries at the request of the FBI, and turned over material gathered from these burglaries to Bureau Agents. Affidavits have been obtained from Agents involved with the investigation of Ducote and Ducote has denied, in an interview with Bureau Agents, that he ever committed any burglaries for the FBI. The San Francisco Division has been instructed to closely follow the local trial of Ducote and to keep the Bureau advised as to developments.

APPROVED: *[Signature]*

Assoc. Dir. *[Signature]*

Dep. AD Adm. *[Signature]*

Dep. AD Inv. *[Signature]*

Asst. Dir. *[Signature]*

Admin. *[Signature]*

Comp. Syst.	Laboratory....
Ext. Affairs.....	Legal Coun. <i>[Signature]</i>
Gen. Inv.	Plan. & Eval.
Ident.	Rec. Mgmt.
Inspection....	Spec. Inv.
Intell.	Training....

1 - Mr. Adams
 1 - Mr. Leavitt
 1 - Mr. Gallagher
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March 12, 1976

**SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL
RIGHTS OF THE HOUSE COMMITTEE ON THE JUDICIARY**

Reference is made to Subcommittee on Civil and Constitutional Rights of the House Committee on the Judiciary letter dated January 8, 1976, regarding Jerome Joseph Ducote.

For your information, the files of the San Francisco Office of the Federal Bureau of Investigation (FBI) indicate that Ducote appeared at the San Jose Resident Agency in 1968, and requested assistance from the FBI in his investigation of communist influence in the Farm Workers Union. He stated that he was working for the Diocese of the Roman Catholic Church of Northern California. Ducote advised that it was felt that some of the young priests were being influenced by the communists. It was pointed out that the FBI could not assist him.

On February 19, 1970, Ducote was interviewed at the San Jose Resident Agency by Special Agents of the FBI, and was advised that an investigation was being conducted concerning allegations that he was indicating that he was a member of the House Committee on Un-American Activities (HCUA). Ducote advised that he was working closely with the leadership of the Catholic Church of San Francisco in ferreting out subversive elements in the church. Ducote advised that two months prior to the interview he went to Washington and met with Congressman Charles Gubser, Chief Counsel for the HCUA, and a representative of the Central Intelligence Agency. He advised that he had told several people that he had consulted with the HCUA and they might have believed that he was an employee of the HCUA.

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Legal Coun. _____

Telephone Rm. _____

Director Sec'y _____

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62-1164783

SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL
RIGHTS OF THE HOUSE COMMITTEE ON THE JUDICIARY

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On December 12, 1972, [redacted] visited the Palo Alto Resident Agency of the FBI, where she stated that Jerome Joseph Ducote had gained her confidence by claiming to be a consultant for the HCUA, and in reliance upon this, she gave him \$3,000 which he refused to pay back.

The facts of this matter were discussed with Assistant United States Attorney Jerry K. Cimmet, Northern District of California, on February 18, 1975, at which time Mr. Cimmet declined prosecution.

Ducote, using the alias Fred Schwartz, held a pre-arranged meeting with Jerry Cohen, Chief Counsel, United Farm Workers, Keene, California, on March 25, 1975. Schwartz claimed to have documents taken during robberies and burglaries which were undertaken at the direction of two California growers. Schwartz offered to sell Cohen these documents, which would be of interest to the United Farm Workers, for \$35,000.

During another meeting with Cohen on March 31, 1974, Schwartz lowered the price to \$25,000. This meeting resulted in the identification of Schwartz as Jerry Joseph Ducote, born June 28, 1929, at Gulfport, Mississippi.

On April 1, 1974, Ducote telephoned Cohen and asked for \$600 to \$1,000 immediate cash, which he said he needed for bail.

In accordance with Department of Justice instructions, the results of the FBI's investigation were turned over to local authorities.

On December 24, 1975, Joseph Jerome Ducote was interviewed by Special Agents of the FBI at the Santa Clara County Jail.

SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL
RIGHTS OF THE HOUSE COMMITTEE ON THE JUDICIARY

Ducote advised that he has never worked for the FBI in any capacity. He advised that he did not turn over any documents to Agents of the FBI nor did he ever meet any Bureau Agents who were acting in an undercover capacity.

Ducote is currently in local custody in California, awaiting trial on burglary charges.

In May, 1971, Jerry Clark Boyes complained to the Referee in Bankruptcy, San Jose, California, alleging improprieties in connection with bankruptcy proceedings concerning several companies in which he had an interest. Boyes was interviewed on two occasions, but could furnish no specific information concerning this matter.

At 5:30 a.m., on July 3, 1969, Jerry Boyes telephonically contacted the San Francisco Office of the FBI and advised that he was a host to a foreign visitor, whom he thought was a representative of the Secretary of the Interior of Iran. He noted a dinner was set up by the San Jose Recreation Department. After dinner his wife and the guest began drinking heavily and became involved in a manner in which he did not approve. He advised that he got involved in a fistfight with the guest and broke his fist during the fight.

Boyes appeared at the Los Angeles FBI Office on September 11, 1973, and advised that his ex-wife is married to a man who is a close associate of a reported Mafia member in San Jose, California.

On March 29, 1971, Boyes appeared at the San Francisco FBI Office and advised that he was being squeezed out by local politicians. He named a great number of people in Santa Clara County, including then Governor Ronald Reagan, and Senator Alan Cranston, and others who were conspiring with the "syndicate" to make San Francisco the world's largest syndicate controlled port. He advised that he knew so much about the people involved that the FBI should be able to rescue him from his bankruptcy.

SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL
RIGHTS OF THE HOUSE COMMITTEE ON THE JUDICIARY

On January 11, 1974, one [redacted] of San Jose, California, arranged a meeting with an individual who identified himself as Jerry Boyes. Boyes pointed out that he had patented the idea that later sold through the Sears Company called "add-a-room." He said that the venture failed. He was later involved in the production of modular homes at Santa Clara, California, but was eased out of the company into bankruptcy by a corporation headed by [redacted]

[redacted]

He also said that his grandfather subdivided the City of Whittier, California, and he has been "close" to the Nixon family for years, and was on a first-name basis with Haldeman and Ehrlichman, former advisers to former President Nixon.

b7C

Boyes said that he learned from his daughter that his first wife was involved in picking up packages at National City, California, and delivering them to certain individuals in Albany, Oregon. He said that he did not know whether these packages contained narcotics, money being brought into the country by [redacted] or possibly photographs to be used in a mail scheme.

Boyes claimed that during October or November of 1973, he made an appointment to tell his story to Jack Cox, Administrative Assistant to Congressman Barry Goldwater, Jr. He said that Cox did not keep the appointment, and he went to the U.S. Secret Service in Los Angeles. While in an interview room with a Secret Service agent, he observed a photograph on the wall of the West Coast Mafia family. He said that the interviewing agent was identical to one of the individuals in the photograph.

On January 14, 1974, Boyes appeared at the San Jose Resident Agency and exhibited an envelope containing an offer from "Kiplinger Newsletter," offering a trial subscription. Boyes stated that he wrote a letter to Congressman Goldwater and that this Kiplinger letter was a signal to Boyes that the communists had determined that he was corresponding with Congressman Goldwater.

SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL
RIGHTS OF THE HOUSE COMMITTEE ON THE JUDICIARY

The FBI cannot comment in any way on the question of whether any individual or organization is a source of information for the FBI. A refusal to reply to this type of inquiry should in no way be construed as an inference of association with any individual or organization.

Unsolicited information is reviewed and filed along with solicited information. The FBI would not knowingly utilize information obtained illegally. Where it is determined that illegal information had been tendered to the FBI, a determination would be made concerning FBI jurisdiction in the matter, and in the absence of jurisdiction, the matter would be referred to appropriate authorities for their information.

Director Kelley and the Attorney General have recently testified before the Subcommittee on Civil and Constitutional Rights of the House Committee on the Judiciary concerning the subject of unsolicited information. Guidelines are currently being prepared by the Department of Justice on this matter.

As members of a Federal investigative agency, FBI employees must at all times zealously guard and defend the rights and liberties guaranteed to all individuals by the Constitution. Therefore, FBI employees must not engage in any investigative activity which could abridge in any way the rights guaranteed to a citizen of the United States by the Constitution and under no circumstances shall employees of the FBI engage in any conduct which may result in defaming the character, reputation, integrity, or dignity of any citizen or organization of citizens of the United States.

There is no question as to Special Agents being aware that informants cannot be directed to perform a function that the Special Agent may not legally perform. All information furnished from informants is constantly sifted, analyzed, recorded and disseminated when warranted. The information from informants is verified where possible through either sources or individual investigations. A system of checks is constantly involved to prevent an informant from producing erroneous information by accident or design. The FBI will not knowingly utilize illegally obtained information.

1 - The Attorney General

1 - The Deputy Attorney General

Attention: Michael E. Shaheen
Special Counsel for
Intelligence Coordination

1 - Mr. Adams
1 - Mr. Leavitt
1 - Mr. Gallagher
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March 12, 1976

SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL
RIGHTS OF THE HOUSE COMMITTEE ON THE JUDICIARY

Reference is made to the letter of Chairman Don Edwards on January 3, 1976, to Mr. Michael Uhlmann, Assistant Attorney General, Office of Legislative Affairs, Department of Justice, concerning contact between the Federal Bureau of Investigation (FBI) and Jerome Joseph Ducote.

Mr. Thomas Breen, Committee Staff Member, advised Special Agent [redacted] on February 17, 1976, that the Committee does not desire to review any material concerning Mr. Ducote until the conclusion of his trial in California on burglary charges.

b7C

A memorandum responsive to the Committee's request is available for review by appropriate staff personnel at FBI Headquarters.

1 - The Attorney General

1 - The Deputy Attorney General

Attention: Michael E. Shaheen
Special Counsel for
Intelligence Coordination

Assoc. Dir. _____
Dep. AD Adm. _____
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Director Sec'y _____

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Dep. AD Inv. *JK*
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62-116783

GPO : 1975 O - 589-92

UNITED STATES GOVERNMENT

Memorandum

Director

TO : Federal Bureau of Investigation

FROM : J. Stanley Pottinger ^{FEDERAL GOVERNMENT}
Assistant Attorney General
Civil Rights Division

SUBJECT: Joseph Jerome Ducote, aka
Jerry Ducote,
Fred Schwartz:

Information Concerning
CIVIL RIGHTS

DATE: NOV 1 1976

JSP:JFC:ljr

DJ 144-11E-126

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Reference is made to your memorandum dated September 28,
1976.

No further monitoring is desired.

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38 NOV 2 1976

62-11673-42

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221

DEC 02 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

5010-110

TRANSMIT VIA: Air

PRECEDENCE:

CLASSIFICATION:

DATE: **11/5/76**

TO: SAC, San Francisco (62-6943)

From: Director, FBI *62-116783-4*

b7C

**JOSEPH JEROME DUCOTE, AKA
JERRY DUCOTE,
FRED SCHWARTZ;****INFORMATION CONCERNING
CR***62-116783-4***Reurairtel dated 9/23/76.**Enclosed are two copies of a self-explanatory Departmental letter dated **11/1/76**

Complete the requested investigation in accordance with the provisions of Section _____, Volume _____, Manual of Instructions, and surep within days of the receipt of this communication.

State in the first paragraph of the details of your report that it contains the results of a limited investigation and underscore the word limited
 preliminary preliminaryAdvise all persons interviewed
 appropriate officials at the outset that this investigation is being conducted at the specific request of the U. S. Department of Justice.Remarks: **The enclosed is being furnished for the completion
of your file.**

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